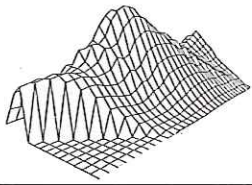


SECTION 9

REPORTS FOR COMMITTEE



Lapkoff & Gobalet Demographic Research, Inc.

www.Demographers.com

22361 Rolling Hills Road, Saratoga, CA 95070-6560 • (408) 725-8164 • Fax (408) 725-1479
2120 6th Street #9, Berkeley, CA 94710-2204 • (510) 540-6424 • Fax (510) 540-6425

Demographic Report for the City of Santa Clara Charter Review Committee

September 22, 2011

RECEIVED
SEP 27 2011

CITY OF SANTA CLARA
CITY ATTORNEY'S OFFICE

Demographic Characteristics of the City's Population

Census 2000 and 2010 Data

Our analyses of Census 2000 and 2010 counts show that the City is becoming more diverse (Table 1). The non-Hispanic (NH) White share of the City's population fell from 48 percent in 2000 to 36 percent in 2010. During the decade, the number of NH Asians grew 48 percent, the number of Hispanics increased 38 percent, and the number of NH African Americans/Blacks grew 37 percent, so that these groups now comprise, respectively, 39, 19, and three percent of the total. These groups, protected by the federal and state Voting Rights Acts, are growing rapidly. Shares of the voting age population also shifted over the decade.

Map 1 shows the distribution of the various groups, by individual Census block. Concentrations of Asians, non-Hispanic Whites, Hispanics, and other groups differ by subarea of the City.

The City's Asian population has not only increased but also become more diverse. Table 2 contrasts the numbers of members of various Asian subgroups in 2000 and 2010. In 2010, Asian Indians are the most numerous (14 percent of the City's population), followed by Chinese (seven percent), Filipino (six percent), and Vietnamese (four percent). The number of Asian Indians grew by more than 7,000 over the decade, and Chinese, Filipino, Korean, and other Asian numbers grew, as well.

Census 2010 Total Population and Citizenship Voting Age Population (CVAP) by Group

Only 53 percent of Asians and 68 percent of Hispanics are citizens. This compares to 93 percent of Whites (Table 3). Among those eligible to vote (the citizen voting age population, or CVAP), 53 percent are (non-Hispanic) White, 26 percent are Asian, and 15 percent are Hispanic. Table 4 shows how these shares vary using different measures. Map 2 shows CVAP shares of each precinct in the City.

Characteristics of Santa Clara's Precincts

In November 2010, the City of Santa Clara had 62 precincts. Census 2010 data (Map 1) and surname analysis of voters (Map 3) in these precincts show that minority populations are not concentrated to the extent that there are homogeneous precincts.

The California Statewide Database (SWDB)¹ reports the results of surname analysis of registered voters, by precinct. The SWDB identifies voters with Spanish, Korean, Japanese, Chinese, Vietnamese, Filipino, and (East) Indian surnames. Of the 30,829 ballots cast by City voters in November 2010, 29 percent were identified by surname analysis. The distribution of voters by Spanish and Asian surnames is shown in Table 5.

Charts 1 and 2 show that there are no Santa Clara precincts in which more than 39 percent of voters had Asian surnames, and no precincts in which more than 29 percent of voters had Spanish surnames.

Map 3 shows the distribution of minority voters in Santa Clara, by precinct. Pie charts are shown in each precinct. The size of the pie indicates the number of voters in the precinct. The colors of the slices indicate the ethnic distribution in that area.

Table 1

Lapkoff & Gobalet Demographic Research, Inc., 09/22/2011

Group	2000 Population	2010 Population	Change	% Change	Shares	
					2000	2010
Hispanic	16,364	22,589	6,225	38%	16%	19%
NH* White	49,392	42,026	-7,366	-15%	48%	36%
NH Black	2,439	3,334	895	37%	2%	3%
NH American Indian	525	492	-33	-6%	1%	0%
NH Asian	30,969	45,681	14,712	48%	30%	39%
NH Hawaiian/Pacific Islander	547	745	198	36%	1%	1%
NH Other Race	1,185	420	-765	-65%	1%	0%
NH Mixed Race	940	1,181	241	26%	1%	1%
Total	102,361	116,468	14,107	14%	100%	100%

*NH = non-Hispanic

Data from the Census 2000 and Census 2010 PL94-171 Redistricting Data Releases

¹ <http://swdb.berkeley.edu/>

Table 2

Lapkoff & Gobalet Demographic Research, Inc., 09/22/2011

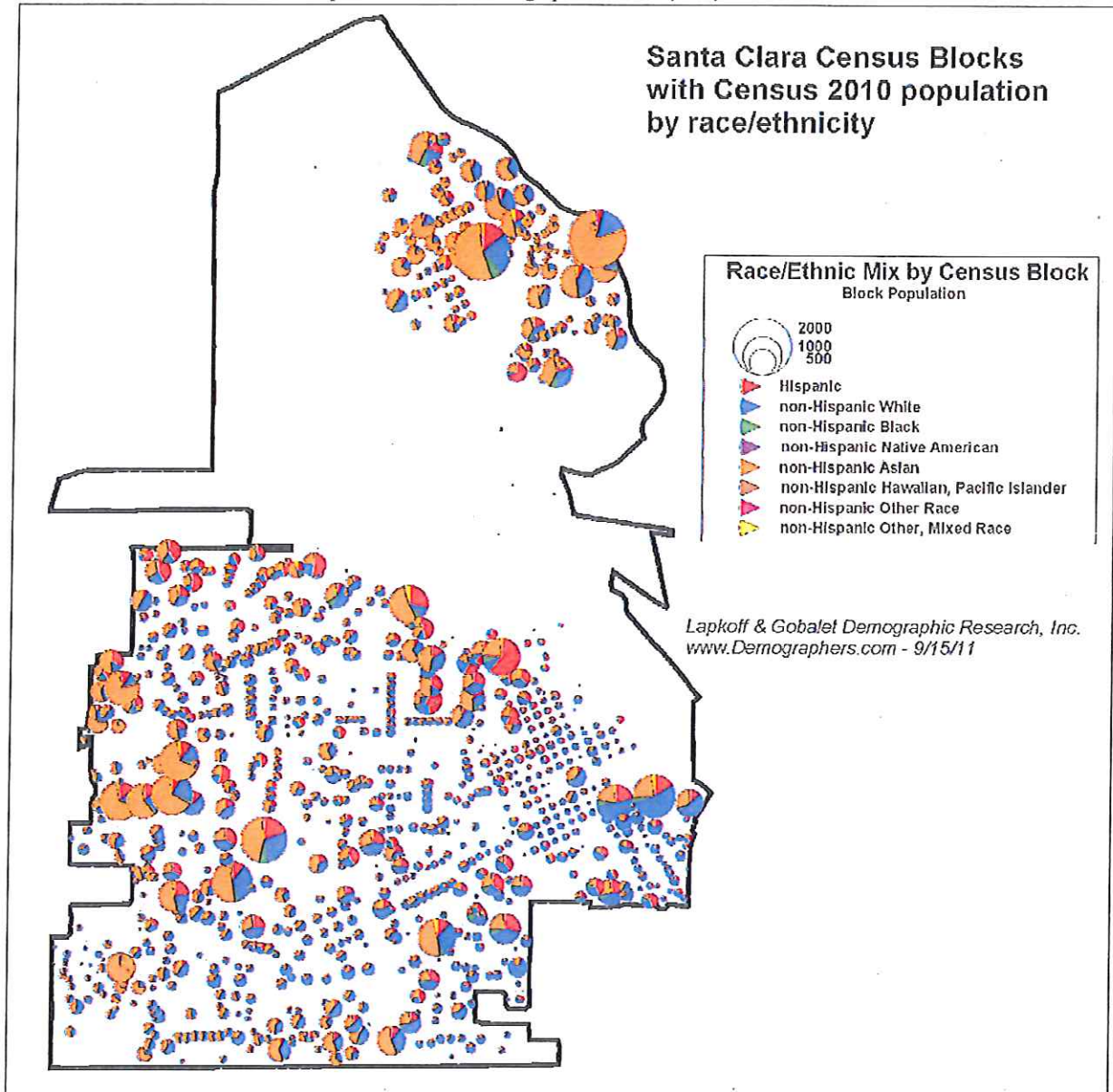
City of Santa Clara
Comparison of 2000 and 2010 Asian Populations

Group	Shares		2000 Population	2010 Population	Change	% Change
	2000	2010				
Asian Indian	9%	14%	8,853	15,890	7,037	79%
Chinese	5%	7%	5,197	8,176	2,979	57%
Filipino	6%	6%	5,819	7,222	1,403	24%
Japanese	2%	1%	2,103	1,731	-372	-18%
Korean	2%	3%	2,471	3,506	1,035	42%
Vietnamese	5%	4%	5,046	4,498	-548	-11%
Other Asian	1%	2%	743	2,866	2,123	286%
Pakistani				491		
Thai				125		
Indonesian				127		

Data from Census 2000 Summary File 2 data release and Census 2010 Summary File 1 data release.

Map 1

Lapkoff & Gobalet Demographic Research, Inc., 09/22/2011



Data from the U.S. Census 2010 Redistricting Data Release (PL94-171).

Table 3: Citizenship rates for various racial/ethnic groups

Lapkoff & Gobalet Demographic Research, Inc., 09/22/2011

	Estimated		Percent of VAP who were citizens
	VAP	CVAP	
White Alone	35,695	33,125	93%
Asian Alone	31,175	16,465	53%
Hispanic or Latino	13,675	9,360	68%
Black or African American Alone	2,375	2,005	84%
Asian and White	950	915	96%
Native Hawaiian or Other Pacific Islander Alone	430	275	64%
American Indian or Alaska Native Alone	270	260	96%
Black or African American and White	155	135	87%
American Indian or Alaska Native and White	140	140	100%
Remainder of Two or More Race Responses	130	130	100%
American Indian or Alaska Native and Black or African American	80	80	100%
Total	85,070	62,895	74%

VAP data from Census 2010 Redistricting Data Release (PL94-171); CVAP estimates from a special tabulation of American Community Survey 2005-09 data by the U.S. Census Bureau.

http://www.census.gov/rdo/pdf/CVAP_Documentation_Version2.pdf

Table 4

Lapkoff & Gobalet Demographic Research, Inc., 09/22/2011

Shares of the Total, Voting Age, and Citizen Voting Age Populations, and of November 2010 Voters in the City of Santa Clara by Race/Ethnic Group, 2010

Group	Total Population	Voting Age Population	Citizen Voting Age Population	November 2010 Registered to Vote	November 2010 Actual Voters
NH Asian*	39%	38%	26%	17%	18%
NH White	36%	40%	53%		
Hispanic or Latino	19%	17%	15%	13%	11%
NH Black or African American	3%	3%	3%		
NH Multiple Race	1%	1%			
NH Hawaiian	1%	1%			
NH Native Americans	0%	0%			
NH Other	0%	0%			
all others, combined			3%	70%	71%
Total	100%	100%	100%	100%	100%

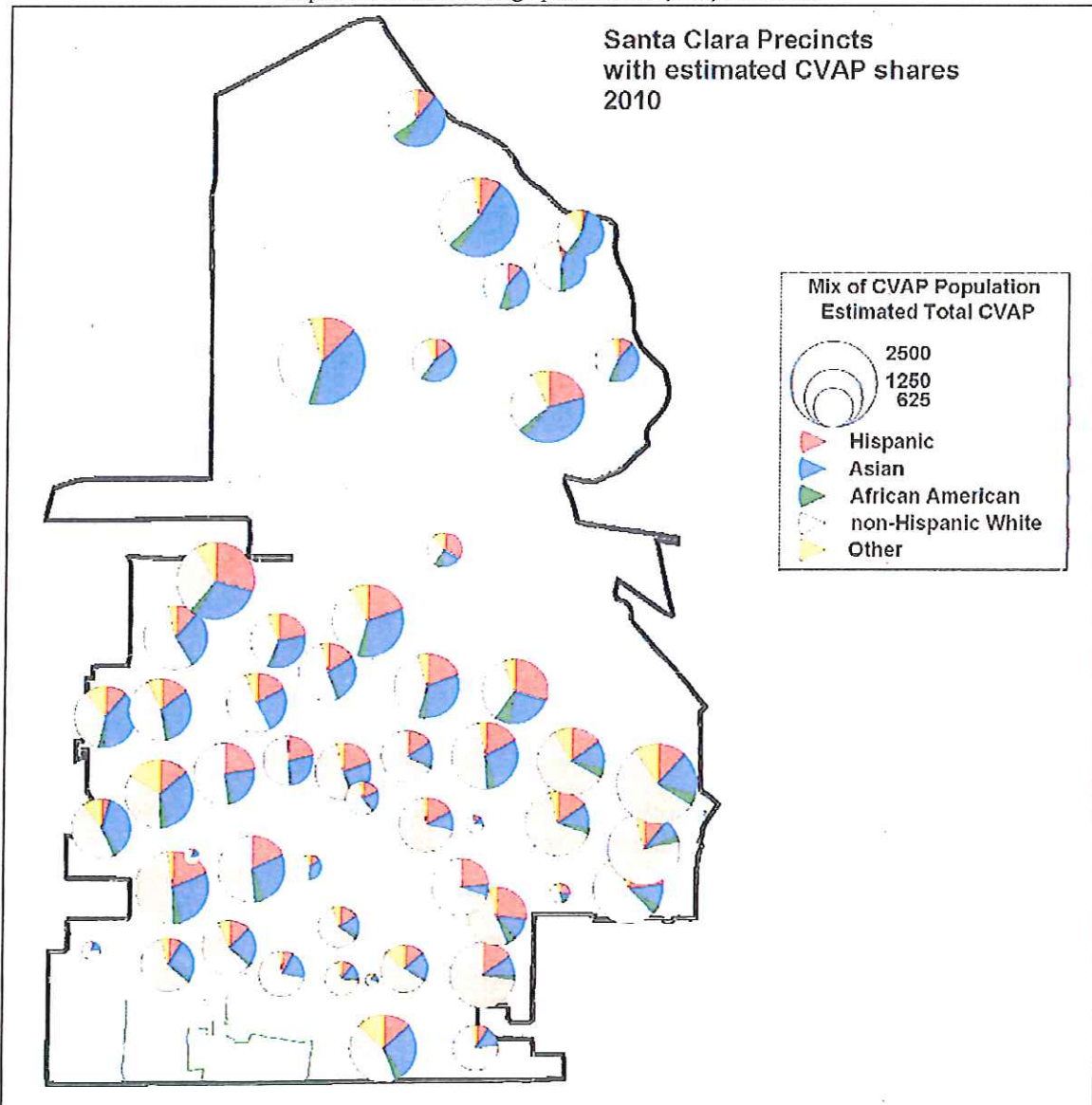
*The Census definition of Asian includes Filipinos and East Indians

NH=Non-Hispanic

Total and Voting Age Population data from Census 2010; CVAP estimates from American Community Survey; and Voter data from the California Statewide Database.

Map 2

Lapkoff & Gobalet Demographic Research, Inc., 09/22/2011



CVAP rates derived from a special tabulation of American Community Survey 2005-09 data by the U.S. Census Bureau and applied to Census 2010 VAP population totals, by race/ethnicity.

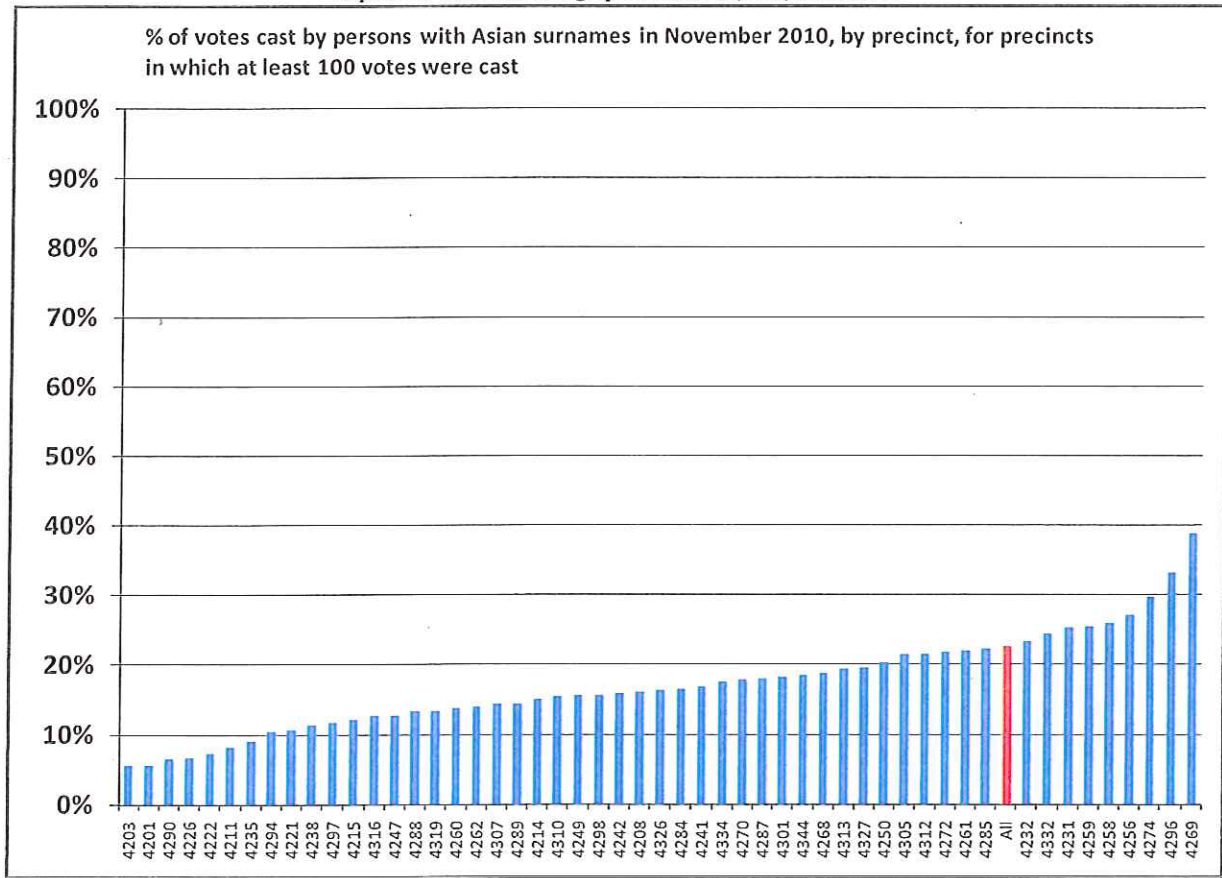
Table 5

Lapkoff & Gobalet Demographic Research, Inc., 09/22/2011

All Votes Cast in November 2010	30,829
%Hispanic	10.7%
% Chinese	5.8%
% Indian	3.5%
% Vietnamese	3.1%
% Japanese	2.3%
% Filipino	2.2%
% Korean	1.3%
% All Asian (including Filipino and Indian as Asian)	18.3%

Chart 1

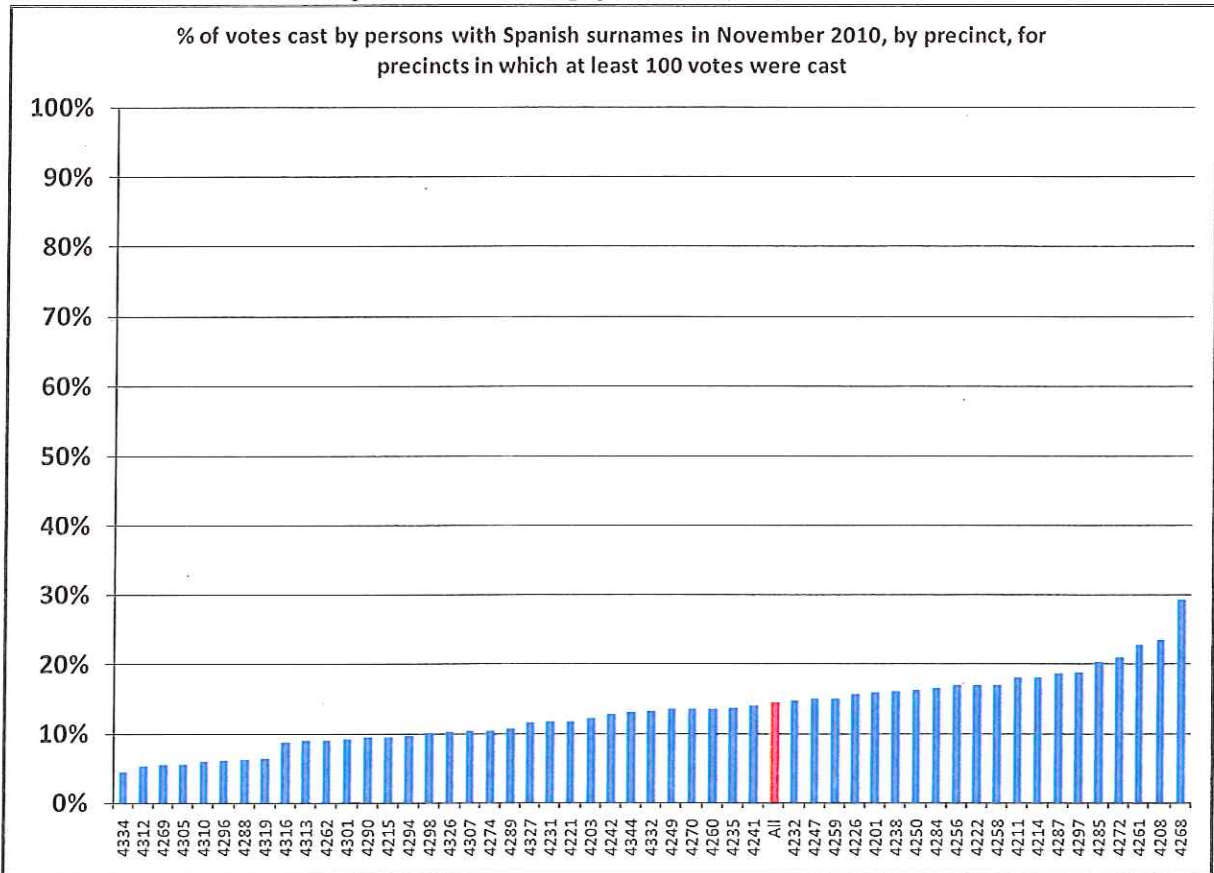
Lapkoff & Gobalet Demographic Research, Inc., 09/22/2011



Labels along the X axis are precinct numbers.

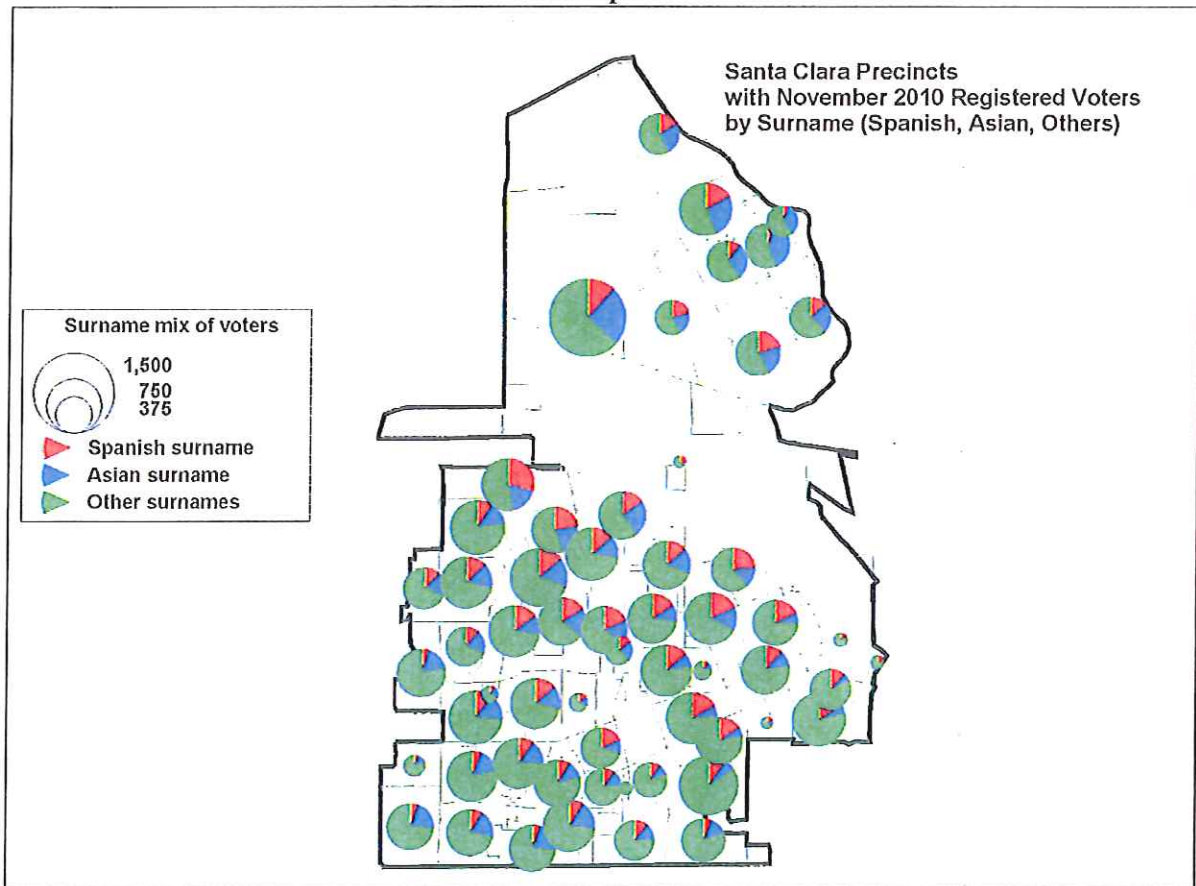
Chart 2

Lapkoff & Gobalet Demographic Research, Inc., 09/22/2011



Labels along the X axis are precinct numbers.

Map 3



Voter data, by precinct, from the California Statewide Database.

AT LARGE ELECTIONS BY SEAT

SPEAKING POINTS PREPARED FOR THE
SANTA CLARA CHARTER REVIEW COMMITTEE

THOMAS E. SHANKS, PH.D.
President and Senior Consultant

September 22, 2011



THE ETHICS COMPANY
At Our Best Every Day

6241 GINASHELL CIRCLE
SAN JOSE, CA 95119-1237
(408) 529-5318
drshanks@ethicscompany.com
www.ethicscompany.com

A. MY ROLE TODAY AND MY EXPERIENCE WITH THE TOPIC

1. I am the City's neutral and independent Ethics & Values consultant, working with the City's nonpolitical Ethics & Values Program.
2. In that capacity, I am often asked to take the role of a "reasonable person"—someone who tries to take an objective and fair look at a set of facts, opinions, and positions—the way a "reasonable person" in the community might.
3. I have been asked to discuss the way that reasonable person in Santa Clara might look at the current election system of At Large Voting by City-Wide Seats, with a primary focus on its positives, with a suggestion or two about issues you might consider to strengthen it.
4. I have worked with the current Santa Clara election system over the past 6 election cycles, conducted the benchmark Good Government Survey after the 2004 election, did the analysis comparing 2006 and 2008, and prepared the Public Trust Status Report on the data from 2004, 2006, and 2008.
5. During the six municipal elections since 2000, I have worked closely with candidates, sitting City Councils, and the public. I serve as workshop facilitator, communication coach, assist in resolving complaints candidates may have with one another, suggest practical conflict resolutions methods, explain the City's Program in a variety of venues, and engage in other nonpolitical & nonpartisan strategies. I also gather feedback after the election is over in order to assist the City in setting a vision and goals for the next municipal election.
6. In addition, I work with other cities with At Large Elections without designated seats. I live and vote in the City of San Jose which elects its mayor at large, but Council Members by geographical district.

B. DISCUSSION OF AT LARGE BY SEAT (CURRENT ELECTION METHOD)

1. SC Voters elect Mayor (who is also a voting member of the Council and presides over the City Council meetings), six Council Members in Seats #2-7, Chief of Police, and the City Clerk.
2. Council Terms are staggered with 3 races in one cycle (Mayor, Seat 2, and Seat 5) and 4 races in the next cycle (Seat 3, 4, 6, 7).
3. Voters cast one vote in each race, with the person who gets the most votes declared the winner.
4. What we have found:
 - a. Simple for voters to understand: 1 vote for each race
 - b. Does not dilute the vote: With at large voting, for example, if there are three openings and five candidates, and someone wants to really support one candidate, they best do so by casting only one of their three votes. If they cast more than one vote, they dilute the power of their vote. In the SC system, each vote has the same value. Casting a vote in one race does not dilute the power of your vote in the other races. In effect, it allows fuller engagement of the public in supporting their candidates for City Council.

- c. The SC system makes it more likely that an incumbent will be held accountable than in an at-large system.

To make sense of this this, consider how campaign resources flow. Candidates only have so much money to spend in a campaign. Every dollar spent holding someone accountable is a dollar that is not spent putting out your own message.

In the at large system, as soon as a challenger goes negative in order to hold the incumbent accountable, the incumbent often responds in kind.

The likely result is that both will lose votes because of other candidate options.

In these systems, the challenger has a double difficulty: they will first have lost votes by holding an incumbent accountable and they will not have the resources to put out their own message.

In the SC system, the likelihood is much greater that there will be at least two viable candidates. If the challenger holds the incumbent accountable, all things being equal, the challenger is likely to pick up votes the incumbent

loses. So we have found that the SC system usually allows for a more robust debate.

- d. Once elected, Council members know they will not run directly against any other Council member. This often leads to more civil conversation and teamwork among Council members who do not have to overcome the effects of direct negative campaigning against one another.
- e. They also tend to be more open to good ideas from any source and can respond to policy options without thinking that supporting an opponent's idea will strengthen the opponent during the next election.
- f. There has been some concern about the lack of clarity in the field of candidates, with candidates pulling papers in multiple seats simultaneously. This has in the past led to confusion in the last minutes before filing deadlines.

The City Council has addressed this by allowing papers to be pulled for only one seat at a time. Once papers are pulled, that information is public.

C. CHOOSING AMONG VALUES

Just a final word about the choices you have to make. No voting system is perfect. It all depends on the values we choose to support.

As you go about your further discussions, you might consider public trust, which the League of California Cities now calls a key challenge and mandate for every city.

Why? In May, public trust in local government reached its lowest level in fifty years. Just one in three Californians trust their local government to do what is right “just about

always” or “most of the time.” Two years ago twice as many people believed that.

Public trust is the people's confident reliance that their government works at all times, in public and in private, with competence, integrity, and commitment only to serve the best interests of all the people of Santa Clara.

In Santa Clara, building public trust and fostering good government is the focus of the City's Ethics & Values Program and the City's *Code of Ethics & Values*.

My recommendation is to ask three questions:

1. Why do we believe this action will build public trust?
2. What good government principles make this action the right thing for the people?
3. How do our actions align with the City's Code of Ethics & Values in best practice?

GOOD GOVERNMENT GUIDING PRINCIPLES

We foster public trust when we:

1. Honor the spirit and the letter of the law.
2. Treat everyone equitably and respectfully.
3. Do the greatest good and the least harm.
4. Impose the lightest burden possible.
5. Fulfill our duties and protect personal rights.
6. Act only in the community's best interests, guided by the City's Code of Ethics & Values.



City of Santa Clara

At Our Best Every Day For Public Trust

ETHICAL • PROFESSIONAL • SERVICE-ORIENTED • FISCALLY RESPONSIBLE • ORGANIZED • COMMUNICATIVE • COLLABORATIVE • PROGRESSIVE

Good Government Decision-Making Process

Trustworthy leaders follow the law and make decisions after:

- Carefully considering the facts and staff recommendations
- Listening carefully to the interests of all stakeholders
- Developing a number of good options for action
- Choosing the option which best meets these standards:
 - Positive consequences outweigh negative ones
 - An individual's rights are protected and advanced
 - Everyone is treated with dignity and respect
 - The action is fair, just, and equitable
 - The action is best for the community as a whole
 - The action best advances the City's Core Values
- **Test 1:** If I do this, who wins? Who loses? Why? Should we consider different options? What do others think of our reasoning? Why is this the right thing to do?
- **Test 2:** Explain your reasoning to someone harmed by it.

Trustworthy leaders take action and learn from each decision.

The Charter Review Committee might find these Good Government Principles and the Good Government Decision-Making Process useful. Additional help is available for any of these tools.

Thank you for your time and attention.



County of Santa Clara
Registrar of Voters

County of Santa Clara Registrar of Voters

Methods of Voting



County of Santa Clara
Registrar of Voters

Current Voting Method: From District

Voters from entire city vote for a geographical area

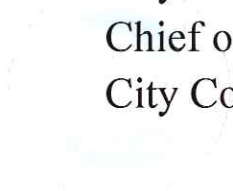
Example for November 2012 Election

Ballot Type 1:

City Clerk

Chief of Police

City Council District 3, 4, 6, 7 (4 contests)



Proposal #1 At-Large Voting Method:

Every city voter votes for city council.

Example for November 2012 Election

Ballot Type 1:

City Clerk

Chief of Police

City Council Districts 3, 4, 6, 7 (1 contest, vote four 4)

At-Large Method

Voting System Capable: Yes

Additional Optical Scan Costs: No

Additional SBVIP Costs: No

Cost Savings:

None or minimal because the same number of candidates, just 1 to 3 less city council contests.

Proposal #2: By District Voters vote by geographical area

Example for November 2012 Election

Ballot Type 1:	City Clerk Chief of Police City Council District 3
Ballot Type 2:	City Clerk Chief of Police City Council District 4
Ballot Type 3:	City Clerk Chief of Police City Council District 6
Ballot Type 4:	City Clerk Chief of Police City Council District 7
Ballot Type 5:	City Clerk Chief of Police

By District Continued

- Voting System Capable: Yes
- Additional Optical Scan Costs:
Yes for Additional Ballot Type Set Up
- Additional SBVIP Costs:
Yes for Additional Ballot Type Set Up
- Other Costs:
More polling places & Election Officers, and related supply and training costs.

Proposal #3: Cumulative Voting

Every voter gets as many votes as there are open seats and can vote for same candidate or spread votes around

Voting System Capable: No

Separate ballot card.

Example for November 2012 Election

Ballot Type 1:

City Clerk

Chief of Police

City Council Districts 3, 4, 6, 7 (4 contests)

If voting system were capable:

- **Optical Scan Costs:** For separate ballot cards
- **SBVIP Costs:** For separate instructions page and sample of cumulative ballot card.
- **Other Costs:** Extensive voter training and written materials. Voters re-trained every election.
- **Other Costs:** Election Officer training, ROV staff time and supplies.

Proposal #4: Proportional Representation

Voter ranks candidates in order of preference.

Separate ballot card.

November 2012 Election Ballot

Ballot Type 1:

City Clerk

Chief of Police

City Council Districts 3, 4, 6, 7 (4 contests)



County of Santa Clara
Registrar of Voters

Voting System Capable: No

If voting system were capable:

- **Optical Scan Costs:** For separate ballot cards
- **SBVIP Costs:** For separate instructions page and sample of cumulative ballot card.
- **Outreach Costs:** Extensive voter training and written materials. Voters re-trained every election. Other Costs: Election Officer training, ROV staff time and supplies.



County of Santa Clara
Registrar of Voters

Ranked Choice (RCV) or Instant Runoff Voting (IRV) in Santa Clara County

Where are we?

- **Charter Amendment - Measure F - November 3, 1998**
158,624 / **53.9%** Yes votes 135,525 / **46.1%** No votes

*Shall the County of Santa Clara add section 208 stating,
“Nothing in this Charter shall preclude the Board of
Supervisors from authorizing an instant run-off voting system
for the November general election, which eliminates the need
for run-off elections, when such technology is available to the
County?”.*

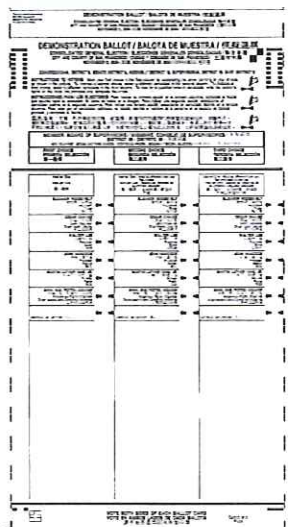
Requirements...

- Santa Clara County Board of Supervisors would need to approve the use of RCV.
- The voting system would need to be capable of conducting an RCV election, and approved for said use in SCC using our procedures, software, languages, system setup and equipment.
- Substantial costs incurred through the required voter education and outreach to voters in our mandated languages.

SOS IRV Guidelines

- (a) These guidelines apply only to a **charter city**, charter county or charter city and county that, in accordance with its charter, conducts single-winner races using instant runoff voting. For charter cities that request a county elections official to conduct the city's municipal elections, an elected county elections official, or in the case of counties with an appointed elections official, **the county board of supervisors, must first approve the use of instant runoff voting.**
- (b) A charter city, charter county or charter city and county may not conduct a local election using instant runoff voting unless that election is **conducted on a voting system that is capable of conducting the election using instant runoff voting and has been approved by the Secretary of State** pursuant to Division 19 of the California Elections Code, or by another procedure that has been approved by the Secretary of State.
- (c) **Any city or county using instant runoff voting shall conduct a voter education and outreach campaign** to familiarize voters with instant runoff voting in English and in every language in which a ballot is required to be made available pursuant to the Elections Code and the Federal Voting Rights Act of 1965 (42 U.S.C. Sec. 1973aa-1).

Additional Information / Variables







- Certification Status?
- Use Requirements?
- Costs?

Next Steps...

- Investing Jurisdiction
- Federal and State Certification
- “The Board will have a policy discussion related to Instant Runoff Voting (IRV) if and when the Secretary of State approves IRV and if and when the County’s technology is capable of providing IRV, the Board will discuss to determine next steps.”

More Information / Questions

Elaine Larson
elaine.larson@rov.sccgov.org
(408) 282-3003

Philip Chantri
philip.chantri@rov.sccgov.org
(408) 282-3066

Council Direction to the Charter Review Committee

[The following is an excerpt of the July 12, 2011 Agenda Report to Council]

The purpose of the Charter Review Committee is to review the City Charter provisions governing the manner of electing members of the Council, gather information, study the issue, and when the study is completed the citizens group would report back to Council with options and recommendations. The Committee would review the Charter provisions governing the manner of electing members of the City Council, consider alternatives to the current at-large system and make a recommendation to the Council regarding whether to propose a charter amendment to the electorate to change from the at-large system to a different manner of electing members of the Council. The Committee's charge would be limited to this issue.

[The following is an excerpt from the August 16, 2011 Agenda Report to Council]

At the July 12, 2011 Council meeting, Council directed that a Charter Review Committee be formed to evaluate Charter provisions governing the manner of electing members of the City Council. The Committee will recommend whether to propose a Charter amendment to the electorate to change from the at-large election system currently in use to another methodology.

*Prepared by Jennifer Sparacino, City Manager
Dated: September 1, 2011*

Legal Issues

*Democracy is a charming form of government, full of variety and disorder,
and dispensing a sort of equality to equals and unequals alike.*

Plato

There are many local, state and federal laws protecting the democratic process as it is practiced at the municipal level. City commissions must abide by the same regulations as the City Council.

There are several legal issues that members of City commissions should be mindful of in fulfilling their roles and responsibilities in municipal government. Each is designed to protect fair access of the citizens to their government officials and due process (a fair hearing procedure).

The Brown Act guarantees open meetings

Whenever a quorum (majority) of the City Council or a City commission (or even a subcommittee of less than a quorum) is discussing City business, it is a meeting as defined by the Brown Act. The public must receive notice of subjects being discussed at the meeting and be given an opportunity to comment. Closed meetings are only allowed to discuss sensitive matters such as litigation, personnel and real estate matters. The Brown Act applies to even informal get-togethers or casual conversations about City business, which is why it is so important that conversations concerning City business be confined to officially-noticed meetings.

The full text of the Ralph M. Brown Act, which is designed to protect the public's right to know, is included in the end of this section.

“Serial” meetings are also prohibited

A “serial” meeting is defined as a situation when members of a City commission individually meet, telephone, email, fax or otherwise communicate among each other or through a common person about a topic that will eventually involve the commitment or action of a quorum.

Public business is best conducted in public.

Posting of Agendas

Only items on an agenda posted 72 hours prior to a meeting can be acted upon. The public must have the opportunity to speak on issues before a government body can take action. That is why City commissions must be as careful as the City Council in discussing only the topics listed on the publicized agenda.

Economic Conflicts of Interest

The Political Reform Act of 1974 applies the economic conflict of interest law to members of certain City commissions as well as elected officials. As stated in the Government Code “No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a government decision in which he knows or has reason to know he has a financial interest.” The interests of spouses and dependent children must also be considered.

Economic interest is defined broadly and includes:

- Sources of income
- Real property interest totaling \$2,000 or more
- Investments such as stocks or bonds
- Interest in business entities valued at \$2,000 or more
- Any business entity in which the individual is a director, officer, partner, trustee, employee or any position of management
- Interest in trusts
- Loans
- Gifts with an aggregate value of \$340 or more (effective January 1, 2003 and increased slightly every year)
- Any other economic interest that might benefit, directly or indirectly, the individual or his or her immediate family

A disqualified member of a City commission cannot attempt to influence the vote on the matter by lobbying the remaining members of their group, the City Council, or staff. **Note:** Refer to Resource Material section of binder for publication “A Local Official’s Guide to Ethics Laws”.

What to do if you’re in doubt

Whenever a member of a City commission believes that there may be an economic conflict of interest, he or she should seek a written opinion from the Fair Political Practices Commission. Obviously, this means that members need to be looking ahead at upcoming issues and obtaining an opinion before the item requires action. At any time, it is always safest to err on the conservative side and to publicly identify the conflict, and then abstain from votes on issues that you believe might pose an economic conflict of interest.

Penalties

Violations of the Political Reform Act can be prosecuted as misdemeanors. Elected public officials cannot hold office for four years after conviction.

Disclosure statements must be filed by members of the Planning Commission, Civil Service Commission, and the Housing Rehabilitation Loan Committee.

Members of these three entities are required to file an Annual Statement of Economic Interests and disclose the investments and interest in real property held and income received during the reporting period. Newly-appointed members to these groups must file an Assuming Office Statement that discloses any investments or interests in real property held by the member on the date he or she assumed office. The statement must also disclose income received during the 12 months prior to the date office was assumed.

The City Clerk administers disclosure statements and maintains original file copies of all statements. These are available for public review in the City Clerk's Office. The statements of Planning Commissioners are forwarded to the Fair Political Practices Commission and copies are retained for public review in the City Clerk's Office.

No contracts with the City

Members of City commissions cannot have any contracts with the City. Penalties for violation of Government Code Section 1090 are severe: the contract is invalidated, the individual is disqualified for life from public office, and the individual can be charged with criminal action.

Other Legal Issues

- **Boards, commissions and committees may not be used for political activities.**
Members of City commissions may not endorse ballot measures or candidates for public office. However, members of City commissions may use their official title in political activities to identify themselves and describe their involvement with the City. Members must be careful, though, to be clear that any statement about a political position represents only their personal view of the issue or candidate and in no way implies the endorsement of the full group. More detail about the restrictions on members of City commissions pertaining to political activities is contained in Resolution No. 6288, approved May 6, 1997.

■ **Campaign contributions are limited.**

If a member of a City commission decides to run for public office, he or she cannot accept, solicit or direct campaign contributions of more than \$250 from parties with matters pending before their group or which might appear before their group. The same limit is true if the individual is not running for office personally but is working on the campaign of another. It is wise to obtain advice from the Fair Political Practices Commission on campaign contribution regulations.

■ **Consideration should be given to the appropriateness of the use of city business cards and official title.**

Members of a City commission may use their city title and business cards as long as these uses are not for coercive purposes, in violation of conflict of interest laws or regulations, or in violation of laws or regulations relating to the conduct of such City commission.

■ **Use of the City seal and the "All America City" logo must be approved by the City Manager.**

Santa Clara's emblem, often referred to as the "City Seal," is a drawing of Mission Santa Clara and is protected under Federal Copyright Law. Use of this emblem characterizes official approval and sanction by the City and is therefore controlled in its use and may not be used for business or campaign purposes. The "All America City" logo is not for use by individuals, but for programs and projects approved by the full City Council. The City Council has authorized the City Manager to administer the use of the City Seal and the "All America City" logo.

■ **Individual members cannot unilaterally represent a board, commission or committee.**

Under no circumstance can an individual member of a City commission take any action or make a statement that purports to represent the entire group unless that member has been given authority to do so by a majority vote of the board, commission or committee.

Any letters written by members of City commissions should not include the member's title unless the letter is for official City commission business, approved by the City Commission and the City Council. Correspondence by members of City commissions (including letters, memos, emails and other written communication) should not appear to represent the viewpoint of the full group unless the correspondence is for official business of the City commission and has been approved by the group and the City Council.

■ **Unilateral contacts are discouraged.**

If member of a City commission should meet privately with an individual or entity that has an issue coming before the group, the member should do so without making voting decisions or commitments. Equal opportunities and due process shall be extended to all parties in matters under consideration. Private meetings make it impossible for the other side to know about the meeting, much less the content of the meeting. All such contacts should be disclosed at the commission meeting when the item is being discussed.

■ **Activities incompatible with the focus of the City commission are to be avoided by members.**

Incompatible activities include holding two public offices simultaneously or having duties through your job or another activity for which you receive compensation that conflict with the role of the City commission.

■ **One-year ban on post-service activities for compensation.**

Santa Clara has enacted a "Revolving Door" Policy. Ordinance No. 1755 makes it illegal for elected officials, Commissioners, and designated City employees to leave their City position and, within a year of leaving the position, return to represent third parties for compensation. The prohibition extends to representing (for compensation) third parties before the City Council, a City agency, a City commission, or City staff. There are very limited exceptions.

Frequently Asked Legal Questions

May a member of a City commission choose not to vote?

Members of City commissions are expected to participate in all decisions of their group. There are two primary exceptions – if the member is disqualified because of a financial conflict of interest or the member is disqualified because of a fairness issue such as absence from all or part of a proceeding or personal animosity between the member and an individual appearing before the group. When a member has a financial conflict of interest, he or she must disclose the nature of the conflict and abstain from voting. The disqualified official must also refrain totally from attempting to influence the decision. In all cases, abstentions should be made to ensure the fair, impartial deliberative process by the City commission.

If a member of a City commission misses all or part of a meeting in which information is presented, can that member vote on that issue?

Absence does not automatically disqualify the member from participating in a vote on an issue. If a member misses all or part of the proceeding in which information about the issue was presented, the member can be “reconstituted” by becoming familiar with the record of the meeting – reading minutes, listening/viewing a recorded version of the meeting, studying staff reports, etc.

Who decides if a member is reconstituted?

In order to vote on an issue considered in a meeting missed in full or in part, a member must state for the record that he or she has heard/viewed the full tape of the public hearing, read all of the documents submitted, and considered all of the aspects of the issue. Once the member has made this statement for the record, the Chair can recognize that the member has been reconstituted and is qualified to vote.

CITY OF SANTA CLARA
City Attorney's Office

DATE: September 1, 2011

TO: Members of the Charter Review Committee

FROM: Assistant City Attorney

RE: Responses to Committee Questions of 8/18/11

1. What are the ethnic minority breakdowns of other County cities?

Refer to handouts.

2. Have there been similar legal challenges (re the Calif Voting Rights Act) in general law cities?

None based on the research to date by the City Attorney's Office. The cities involved in Voting Rights Act challenges since 2005 are charter cities: Compton, Modesto, Tulare, Whittier. Other entities involved in those challenges include: County of San Mateo, Ceres Unified School District, Compton Community College District, Hanford Unified School District, Madera Unified School District, Tulare Hospital District.

3. What are population sizes of "by district" cities?

Berkeley (2010)	112,580
San Jose (2010)	945,942
Oakland (2010)	390,724
San Francisco (2010)	805,235
Watsonville (2006)	48,709
Salinas (2006)	145,032

4. Election systems in Northern California cities using Ranked Choice Voting/Instant Runoff Voting (IRV):

City	Elections System	Ranked Choice Voting?
Berkeley*	By district (8)	Yes (Mayor, Council members, Auditor)
Oakland*	By district (7) plus 1 at large member (Mayor at large)	Yes (Mayor, Council members from certain districts, City Auditor, School Board Directors)
San Francisco*	By district (11)	Yes (Mayor, Supervisors, Sheriff, District Attorney, City Attorney, Treasurer, Assessor-Recorder, Public Defender)
San Leandro*	From district (6) (Mayor at large)	Yes (Mayor, Council members)
Stockton*	Primary: by district (1 vote/voter); top 2 vote getters run in the general election General: at large (1 vote/voter)	No

*Charter city


[Home](#) | [Contact](#)
[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

City of Campbell

Santa Clara County

Decennial Census data

[1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	38,138	100.0%	39,349	100.0%
In households	37,848	99.2%	39,148	99.5%
In group quarters	290	0.8%	201	0.5%
RACE				
White	27,758	72.8%	26,315	66.9%
Black or African American	964	2.5%	1,158	2.9%
American Indian and Alaska Native	248	0.7%	275	0.7%
Asian	5,402	14.2%	6,320	16.1%
Native Hawaiian and Other Pacific Islander	88	0.2%	161	0.4%
Some other race	1,859	4.9%	2,713	6.9%
Two or more races	1,819	4.8%	2,407	6.1%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	5,083	13.3%	7,247	18.4%
Not Hispanic or Latino	33,055	86.7%	32,102	81.6%
White	25,168	66.0%	22,866	58.1%
Black or African American	932	2.4%	1,109	2.8%
American Indian and Alaska Native	151	0.4%	101	0.3%
Asian	5,348	14.0%	6,222	15.8%
Native Hawaiian and Other Pacific Islander	82	0.2%	140	0.4%
Some other race	60	0.2%	85	0.2%
Two or more races	1,314	3.4%	1,579	4.0%


[Home](#) | [Contact](#)
[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

City of Cupertino

Santa Clara County

Decennial Census data

[1950-1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	50,546	100.0%	58,302	100.0%
In households	50,098	99.1%	57,965	99.4%
In group quarters	448	0.9%	337	0.6%
RACE				
White	25,342	50.1%	18,270	31.3%
Black or African American	347	0.7%	344	0.6%
American Indian and Alaska Native	101	0.2%	117	0.2%
Asian	22,462	44.4%	36,895	63.3%
Native Hawaiian and Other Pacific Islander	67	0.1%	54	0.1%
Some other race	639	1.3%	670	1.1%
Two or more races	1,588	3.1%	1,952	3.3%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	2,010	4.0%	2,113	3.6%
Not Hispanic or Latino	48,536	96.0%	56,189	96.4%
White	24,181	47.8%	17,085	29.3%
Black or African American	319	0.6%	322	0.6%
American Indian and Alaska Native	80	0.2%	80	0.1%
Asian	22,414	44.3%	36,815	63.1%
Native Hawaiian and Other Pacific Islander	58	0.1%	39	0.1%
Some other race	124	0.2%	110	0.2%
Two or more races	1,360	2.7%	1,738	3.0%


[Home](#) | [Contact](#)
[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

City of Gilroy

Santa Clara County

Decennial Census data

[1870-1940](#) | [1950-1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	41,464	100.0%	48,821	100.0%
In households	41,034	99.0%	48,015	98.3%
In group quarters	430	1.0%	806	1.7%
RACE				
White	24,426	58.9%	28,674	58.7%
Black or African American	745	1.8%	942	1.9%
American Indian and Alaska Native	661	1.6%	831	1.7%
Asian	1,810	4.4%	3,448	7.1%
Native Hawaiian and Other Pacific Islander	105	0.3%	111	0.2%
Some other race	11,499	27.7%	12,322	25.2%
Two or more races	2,218	5.3%	2,493	5.1%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	22,298	53.8%	28,214	57.8%
Not Hispanic or Latino	19,166	46.2%	20,607	42.2%
White	15,767	38.0%	15,335	31.4%
Black or African American	615	1.5%	709	1.5%
American Indian and Alaska Native	193	0.5%	180	0.4%
Asian	1,658	4.0%	3,265	6.7%
Native Hawaiian and Other Pacific Islander	74	0.2%	86	0.2%
Some other race	58	0.1%	58	0.1%
Two or more races	801	1.9%	974	2.0%


[Home](#) | [Contact](#)
[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

City of Los Altos

Santa Clara County

Decennial Census data

[1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	27,693	100.0%	28,976	100.0%
In households	27,274	98.5%	28,749	99.2%
In group quarters	419	1.5%	227	0.8%
RACE				
White	22,250	80.3%	20,459	70.6%
Black or African American	130	0.5%	148	0.5%
American Indian and Alaska Native	48	0.2%	48	0.2%
Asian	4,271	15.4%	6,815	23.5%
Native Hawaiian and Other Pacific Islander	45	0.2%	59	0.2%
Some other race	183	0.7%	195	0.7%
Two or more races	766	2.8%	1,252	4.3%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	822	3.0%	1,132	3.9%
Not Hispanic or Latino	26,871	97.0%	27,844	96.1%
White	21,656	78.2%	19,642	67.8%
Black or African American	127	0.5%	137	0.5%
American Indian and Alaska Native	40	0.1%	21	0.1%
Asian	4,252	15.4%	6,795	23.5%
Native Hawaiian and Other Pacific Islander	45	0.2%	56	0.2%
Some other race	55	0.2%	70	0.2%
Two or more races	696	2.5%	1,123	3.9%


[Home](#) | [Contact](#)
[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

Town of Los Altos Hills

Santa Clara County

Decennial Census data

[1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	7,902	100.0%	7,922	100.0%
In households	7,837	99.2%	7,869	99.3%
In group quarters	65	0.8%	53	0.7%
RACE				
White	5,922	74.9%	5,417	68.4%
Black or African American	47	0.6%	37	0.5%
American Indian and Alaska Native	7	0.1%	4	0.1%
Asian	1,667	21.1%	2,109	26.6%
Native Hawaiian and Other Pacific Islander	7	0.1%	8	0.1%
Some other race	36	0.5%	50	0.6%
Two or more races	216	2.7%	297	3.7%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	170	2.2%	213	2.7%
Not Hispanic or Latino	7,732	97.8%	7,709	97.3%
White	5,795	73.3%	5,239	66.1%
Black or African American	42	0.5%	37	0.5%
American Indian and Alaska Native	5	0.1%	2	0.0%
Asian	1,660	21.0%	2,108	26.6%
Native Hawaiian and Other Pacific Islander	7	0.1%	8	0.1%
Some other race	20	0.3%	28	0.4%
Two or more races	203	2.6%	287	3.6%



Bay Area Census


[Home](#) | [Contact](#)
[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

Town of Los Gatos

Santa Clara County

Decennial Census data

[1880-1940](#) | [1950-1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	28,592	100.0%	29,413	100.0%
In households	27,890	97.5%	29,063	98.8%
In group quarters	702	2.5%	350	1.2%
RACE				
White	24,784	86.7%	24,060	81.8%
Black or African American	226	0.8%	269	0.9%
American Indian and Alaska Native	87	0.3%	86	0.3%
Asian	2,173	7.6%	3,203	10.9%
Native Hawaiian and Other Pacific Islander	21	0.1%	52	0.2%
Some other race	366	1.3%	462	1.6%
Two or more races	935	3.35	1,281	4.4%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	1,491	5.2%	2,120	7.2%
Not Hispanic or Latino	27,101	94.8%	27,293	92.8%
White	23,821	83.3%	22,657	77.0%
Black or African American	217	0.8%	254	0.9%
American Indian and Alaska Native	53	0.2%	51	0.2%
Asian	2,160	7.6%	3,177	10.8%
Native Hawaiian and Other Pacific Islander	19	0.1%	43	0.1%
Some other race	54	0.2%	65	0.2%
Two or more races	777	2.7%	1,046	3.6%


[Home](#) | [Contact](#)
[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

City of Milpitas

Santa Clara County

Decennial Census data

[1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	62,698	100.0%	66,790	100.0%
In households	59,524	94.9%	64,092	96.0%
In group quarters	3,174	5.1%	2,698	4.0%
RACE				
White	19,353	30.9%	13,725	20.5%
Black or African American	2,295	3.7%	1,969	2.9%
American Indian and Alaska Native	388	0.6%	309	0.5%
Asian	32,482	51.8%	41,536	62.2%
Native Hawaiian and Other Pacific Islander	393	0.6%	346	0.5%
Some other race	4,687	7.5%	5,811	8.7%
Two or more races	3,100	4.9%	3,094	4.6%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	10,417	16.6%	11,240	16.8%
Not Hispanic or Latino	52,281	83.4%	55,550	83.2%
White	14,917	23.8%	9,751	14.6%
Black or African American	2,187	3.3%	1,836	2.7%
American Indian and Alaska Native	240	0.4%	137	0.2%
Asian	32,281	51.5%	41,308	61.8%
Native Hawaiian and Other Pacific Islander	347	0.6%	316	0.5%
Some other race	131	0.2%	93	0.1%
Two or more races	2,178	3.5%	2,109	3.2%



Bay Area Census


[Home](#) | [Contact](#)
[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

City of Monte Sereno

Santa Clara County

Decennial Census data

[1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	3,483	100.0%	3,341	100.0%
In households	3,483	100.0%	3,341	100.0%
In group quarters	0	0.0%	0	0.0%
RACE				
White	2,912	83.6%	2,698	80.8%
Black or African American	6	0.2%	14	0.4%
American Indian and Alaska Native	2	0.1%	12	0.4%
Asian	428	12.3%	464	13.9%
Native Hawaiian and Other Pacific Islander	1	0.0%	0	0.0%
Some other race	37	1.1%	28	0.8%
Two or more races	97	2.8%	125	3.7%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	125	3.6%	162	4.8%
Not Hispanic or Latino	3,358	96.4%	3,179	95.2%
White	2,828	81.2%	2,578	77.2%
Black or African American	6	0.2%	14	0.4%
American Indian and Alaska Native	2	0.1%	5	0.1%
Asian	427	12.3%	462	13.8%
Native Hawaiian and Other Pacific Islander	1	0.0%	0	0.0%
Some other race	8	0.2%	9	0.3%
Two or more races	86	2.5%	111	3.3%



Bay Area Census


[Home](#) | [Contact](#)
[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

City of Morgan Hill

Santa Clara County

Decennial Census data

[1910-1940](#) | [1950-1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	33,556	100.0%	37,822	100.0%
In households	33,051	98.5%	37,496	99.0%
In group quarters	505	1.5%	386	1.0%
RACE				
White	24,296	72.4%	24,713	65.2%
Black or African American	573	1.7%	746	2.0%
American Indian and Alaska Native	362	1.1%	335	0.9%
Asian	2,020	6.0%	3,852	10.2%
Native Hawaiian and Other Pacific Islander	77	0.2%	125	0.3%
Some other race	4,505	13.4%	5,779	15.3%
Two or more races	1,723	5.1%	2,332	6.2%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	9,229	27.5%	12,863	34.0%
Not Hispanic or Latino	24,327	72.5%	25,019	66.0%
White	20,583	61.3%	19,073	50.3%
Black or African American	537	1.6%	667	1.8%
American Indian and Alaska Native	179	0.5%	125	0.3%
Asian	1,966	5.9%	3,712	9.8%
Native Hawaiian and Other Pacific Islander	50	0.1%	107	0.3%
Some other race	68	0.2%	87	0.2%
Two or more races	944	2.8%	1,248	3.3%


[Home](#) | [Contact](#)
[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

City of Mountain View

Santa Clara County

Decennial Census data

[1880-1940](#) | [1950-1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	70,708	100.0%	74,066	100.0%
In households	70,204	99.3%	73,801	99.6%
In group quarters	504	0.7%	265	0.4%
RACE				
White	45,090	63.8%	41,468	56.0%
Black or African American	1,789	2.5%	1,629	2.2%
American Indian and Alaska Native	273	0.4%	344	0.5%
Asian	14,613	20.7%	19,232	26.0%
Native Hawaiian and Other Pacific Islander	182	0.3%	391	0.5%
Some other race	5,884	8.3%	7,241	9.8%
Two or more races	2,877	4.1%	3,761	5.1%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	12,911	18.3%	16,071	21.7%
Not Hispanic or Latino	57,797	81.7%	57,995	78.3%
White	39,029	55.2%	34,052	46.0%
Black or African American	1,674	2.4%	1,468	2.0%
American Indian and Alaska Native	164	0.2%	116	0.2%
Asian	14,513	20.5%	19,064	25.7%
Native Hawaiian and Other Pacific Islander	160	0.2%	372	0.5%
Some other race	221	0.3%	241	0.3%
Two or more races	2,036	2.9%	2,682	3.6%


[Home](#) | [Contact](#)
[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

City of Palo Alto

Santa Clara County

Decennial Census data

[1900-1940](#) | [1950-1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	58,598	100.0%	64,403	100.0%
In households	57,930	98.9%	63,820	99.1%
In group quarters	668	1.1%	583	0.9%
RACE				
White	44,391	75.8%	41,359	64.2%
Black or African American	1,184	2.0%	1,197	1.9%
American Indian and Alaska Native	122	0.2%	121	0.2%
Asian	10,090	17.2%	17,461	27.1%
Native Hawaiian and Other Pacific Islander	84	0.1%	142	0.2%
Some other race	827	1.4%	1,426	2.2%
Two or more races	1,900	3.2%	2,697	4.2%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	2,722	4.6%	3,974	6.2%
Not Hispanic or Latino	55,876	95.4%	60,429	93.8%
White	42,682	72.8%	39,052	60.6%
Black or African American	1,166	2.0%	1,131	1.8%
American Indian and Alaska Native	88	0.2%	65	0.1%
Asian	10,056	17.2%	17,404	27.0%
Native Hawaiian and Other Pacific Islander	81	0.1%	135	0.2%
Some other race	183	0.3%	254	0.4%
Two or more races	1,620	2.8%	2,388	3.7%


[Home](#) | [Contact](#)
[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

City of San Jose

Santa Clara County

Decennial Census data

[1870-1940](#) | [1950-1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	894,943	100.0%	945,942	100.0%
In households	884,079	98.8%	932,620	98.6%
In group quarters	10,864	1.2%	13,322	1.4%
RACE				
White	425,017	47.5%	404,437	42.8%
Black or African American	31,349	3.5%	30,242	3.2%
American Indian and Alaska Native	6,865	0.8%	8,297	0.9%
Asian	240,375	26.9%	303,138	32.0%
Native Hawaiian and Other Pacific Islander	3,584	0.4%	4,017	0.4%
Some other race	142,691	15.9%	148,749	15.7%
Two or more races	45,062	5.0%	47,062	5.0%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	269,989	30.2%	313,636	33.2%
Not Hispanic or Latino	624,954	69.8%	632,306	66.8%
White	322,534	36.0%	271,382	28.7%
Black or African American	29,494	3.3%	27,508	2.9%
American Indian and Alaska Native	2,959	0.3%	2,255	0.2%
Asian	238,378	26.6%	300,022	31.7%
Native Hawaiian and Other Pacific Islander	3,093	0.3%	3,492	0.4%
Some other race	1,699	0.2%	1,820	0.2%
Two or more races	26,796	3.0%	25,827	2.7%


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[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

City of Santa Clara

Santa Clara County

Decennial Census data

[1880-1940](#) | [1950-1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	102,361	100.0%	116,468	100.0%
In households	99,574	97.3%	113,272	97.3%
In group quarters	2,787	2.7%	3,196	2.7%
RACE				
White	56,903	55.6%	52,359	45.0%
Black or African American	2,341	2.3%	3,154	2.7%
American Indian and Alaska Native	542	0.5%	579	0.5%
Asian	29,966	29.3%	43,889	37.7%
Native Hawaiian and Other Pacific Islander	437	0.4%	651	0.6%
Some other race	7,102	6.9%	9,624	8.3%
Two or more races	5,070	5.0%	6,212	5.3%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	16,364	16.0%	22,589	19.4%
Not Hispanic or Latino	85,997	84.0%	93,879	80.6%
White	49,392	48.3%	42,026	36.1%
Black or African American	2,237	2.2%	2,929	2.5%
American Indian and Alaska Native	275	0.3%	240	0.2%
Asian	29,791	29.1%	43,531	37.4%
Native Hawaiian and Other Pacific Islander	416	0.4%	604	0.5%
Some other race	275	0.3%	321	0.3%
Two or more races	3,611	3.5%	4,228	3.6%



Bay Area Census


[Home](#) | [Contact](#)
[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

City of Saratoga

Santa Clara County

Decennial Census data

[1950-1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	29,843	100.0%	29,926	100.0%
In households	29,592	99.2%	29,727	99.3%
In group quarters	251	0.8%	199	0.7%
RACE				
White	20,147	67.4%	16,125	53.9%
Black or African American	115	0.4%	94	0.3%
American Indian and Alaska Native	46	0.2%	41	0.1%
Asian	8,679	29.1%	12,376	41.4%
Native Hawaiian and Other Pacific Islander	25	0.1%	23	0.1%
Some other race	171	0.6%	202	0.7%
Two or more races	696	2.3%	1,065	3.6%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	936	3.1%	1,034	3.5%
Not Hispanic or Latino	28,907	96.9%	28,892	96.5%
White	19,434	65.1%	15,431	51.6%
Black or African American	110	0.4%	91	0.3%
American Indian and Alaska Native	34	0.1%	24	0.1%
Asian	8,664	29.0%	12,331	41.2%
Native Hawaiian and Other Pacific Islander	22	0.1%	23	0.1%
Some other race	37	0.1%	56	0.2%
Two or more races	606	2.0%	936	3.1%


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[California](#) | [Bay Area](#) | [Counties](#) | [Cities](#) | [Tracts/Blocks](#)
[Transportation](#) | [Historical Data](#) | [Maps](#) | [Links](#) | [FAQ](#)

City of Sunnyvale

Santa Clara County

Decennial Census data

[1920-1940](#) | [1950-1960](#) | [1970-1990](#) | [2000-2010](#)

	Census 2000		Census 2010	
TOTAL POPULATION	131,760	100.0%	140,081	100.0%
In households	130,885	99.3%	139,232	99.4%
In group quarters	875	0.7%	849	0.6%
RACE				
White	70,193	53.3%	60,193	43.0%
Black or African American	2,927	2.2%	2,735	2.0%
American Indian and Alaska Native	608	0.5%	662	0.5%
Asian	42,524	32.3%	57,320	40.9%
Native Hawaiian and Other Pacific Islander	428	0.3%	638	0.5%
Some other race	9,474	7.2%	12,177	8.7%
Two or more races	5,606	4.3%	6,356	4.5%
HISPANIC OR LATINO AND RACE				
Hispanic or Latino (of any race)	20,390	15.5%	26,517	18.9%
Not Hispanic or Latino	111,370	84.5%	113,564	81.1%
White	61,221	46.5%	48,323	34.5%
Black or African American	2,790	2.1%	2,533	1.8%
American Indian and Alaska Native	362	0.3%	292	0.2%
Asian	42,296	32.1%	57,012	40.7%
Native Hawaiian and Other Pacific Islander	393	0.3%	594	0.4%
Some other race	304	0.2%	381	0.3%
Two or more races	4,004	3.0%	4,429	3.2%

PUBLIC SERVICE AND COMMUNITY ENGAGEMENT

Presentation to
THE CHARTER REVIEW COMMITTEE

BY

CITY CLERK AND ASSISTANT CITY MANAGER

CITY OF SANTA CLARA
SEPTEMBER 1, 2011



City Board and Commissions

10 Boards and Commissions

- *Board of Library Trustees*
- *Civil Service Commission*
- *Cultural Advisory Commission*
- *Historical & Landmarks Commission*
- *International Exchange Commission*
- *Parks & Recreation Commission*
- *Planning Commission*
- *Senior Advisory Commission*
- *Youth Commission*
- *Housing Rehabilitation Loan Committee*

Offers 70 opportunities for community members to engage in the process of government

Leadership Santa Clara

- Annual Program established in 1998
- 20 to 25 people each class; sessions over 6 months
- Sessions include topics on government, community involvement/volunteerism
- Fosters an informed and involved community
- Graduates have become Commissioners, Committee Members, other community involvement

Ethics and Voter Engagement Programs

- Local, State, and International award-winning programs
- *Code of Ethics & Values*
- Vote Ethics Program
- Voter Registration and Public Outreach

Campaign Finance Reform

- Santa Clara Political Campaign Finance Reform Act
- Voluntary Expenditure Limit
- Contribution Limits
- Fundraising Blackout Period

CITY OF SANTA CLARA
City Attorney's Office

DATE: September 1, 2011

TO: Members of the Charter Review Committee

FROM: Assistant City Attorney

RE: Different Voting Systems

There are five general types of voting systems (at large, by district, from district, cumulative voting, and proportional representation) discussed by the Committee. Responding to the Committee's questions last meeting regarding how voting works in those systems, please see below.

AT LARGE:

- Every voter gets 1 candidate vote
- Top vote getters are elected
- If there are 2 or more seats, top 2 or more vote getters win
- No run-off elections
- No districts

Example:

- ◆ 2 open Council seats
- ◆ 5 candidates
- ◆ Voters vote for any 2
- ◆ 2 top vote getters elected to Council

BY DISTRICT:

- Voters in a geographical area of city vote for particular candidate
- Candidates must live in the geographical area

Example:

- ◆ District 1 Council seat open
- ◆ 3 candidates – all residents of District 1
- ◆ Voters vote for 1 of 3
- ◆ Possible outcomes depending on system:
 - ✓ If simple majority required to elect, then the highest vote getter is elected
 - ✓ If 50% plus 1 required to elect, then have a run-off election or use Instant Runoff Voting ("IRV") (also called "ranked choice voting" ("RCV"))

FROM DISTRICT:

- Voters from entire city vote for resident of a particular geographical area

Example:

- ◆ 5 districts
- ◆ Elections in District 2 and District 4
 - ✓ District 2: Candidates A, B, and C
 - ✓ District 4: Candidates D, E, F, and G
- ◆ All city residents have 1 vote for District 2 and 1 vote for District 4
- ◆ Possible outcomes depending on system:

- ✓ If simple majority required to elect, then the highest vote getter is elected in Districts 2 and 4
- ✓ If 50% plus 1 required to elect, then have a run-off election or use IRV/RCV

CUMULATIVE VOTING:

- Each voter gets as many votes as there are open seats
- Voter can vote for 1 candidate or spread votes around to more than 1
- No districts

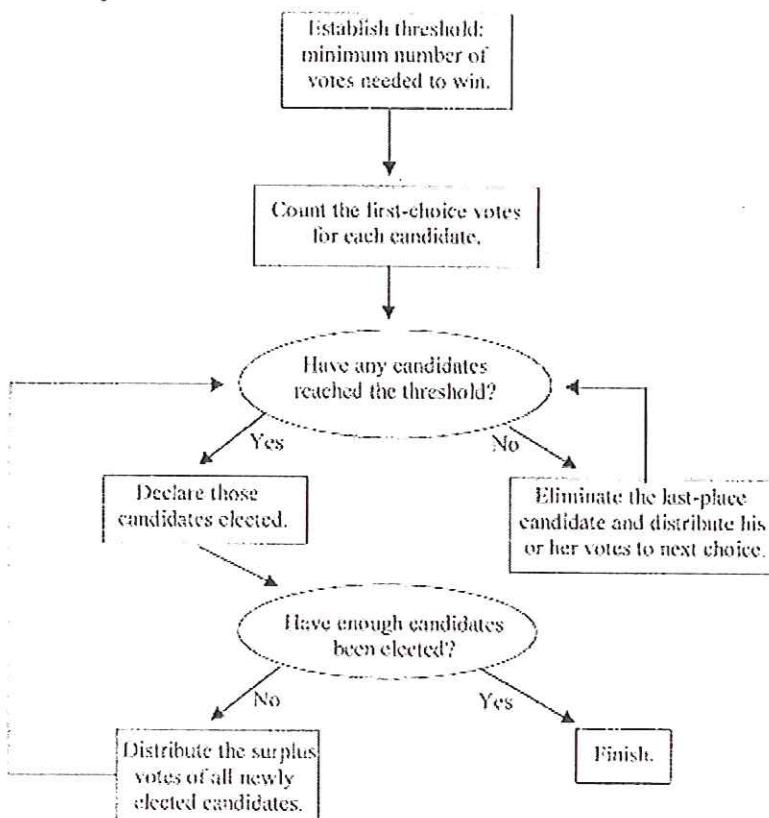
Example:

- ♦ 5 council seats, 3 are open
- ♦ 6 candidates (A, B, C, D, E, and F)
- ♦ Voter can vote:
 - ✓ 3 times for A, or
 - ✓ 2 times for B, 1 time for C, or
 - ✓ 1 time for each C, D, and E
 - ✓ 1 time for B
 - ✓ 1 time for B and 1 time for F

PROPORTIONAL REPRESENTATION:

- Voters rank candidates in order of preference:
 - ♦ 1st choice
 - ♦ 2nd choice
 - ♦ 3rd choice, etc.
- Candidates win when they reach the “victory threshold”
- Ballots counted in a series of election rounds
- No districts

Example:



At large

CA01-2-A1

THIS IS A SAMPLE BALLOT AND CANNOT BE USED AS AN
OFFICIAL BALLOT UNDER ANY CIRCUMSTANCES.

ESTA ES UNA MUESTRA DE LA BOLETA DE VOTACIÓN Y NO PUEDE
USARSE COMO BOLETA OFICIAL BAJO NINGUNA CIRCUNSTANCIA.

MAYOR AND COUNCIL
ELECTION
AUGUST 30, 2011

CITY OF PHOENIX,
ARIZONA



ELECCIONES PARA ALCALDE
Y CONCEJO MUNICIPAL
30 DE AGOSTO DE 2011

MUNICIPALIDAD DE PHOENIX,
ARIZONA

INSTRUCTIONS TO VOTERS

TO VOTE: Complete the arrow(s) pointing to your choice with a single bold line, like this using blue or black ink. If you wrongly mark or damage your ballot, return it to the Election Official and obtain another.

INSTRUCCIONES PARA LOS VOTANTES

PARA VOTAR: Complete la(s) flecha(s) para que apunten a su elección con una sola línea gruesa como ésta utilizando tinta azul o negra. Si marca su boleta incorrectamente o si la daña, devuélvala al Funcionario Electoral y solicite otra.

MAYOR Vote For Not More Than ONE ALCALDE Vote Por No Más De UNO	PROPOSITION NUMBER 1 PROPOSICIÓN NÚMERO 1
ANNA BRENNAN	OFFICIAL TITLE: Resolution No. 20963 A RESOLUTION OF THE COUNCIL OF THE CITY OF PHOENIX PROPOSING THE CONTINUANCE OF A LOCALLY CONTROLLED ALTERNATIVE EXPENDITURE LIMITATION. THIS ALTERNATIVE EXPENDITURE LIMITATION WOULD SET THE LIMIT EQUAL TO THE BUDGET ADOPTED BY THE CITY COUNCIL.
WES GULLETT	<u>Descriptive Title</u> Article IX, Section 20 (9) of the Arizona Constitution allows the voters to extend the locally controlled alternative expenditure limitation for the City of Phoenix, continuing it for the next four years. This alternative expenditure limitation has been in place since fiscal year 2000-01. If approved, it would keep the City of Phoenix's expenditure limitation equal to the amount of the budget adopted by the City Council. Annually, the Mayor and City Council will adopt a budget after public hearings for each Council district. If the alternative expenditure limitation, which is currently in effect for the City of Phoenix, is not extended, the state-imposed expenditure limitation will go into effect.
CLAUDE MATTOX	<u>Effect</u> A "Yes" vote shall have the effect of continuing local control by allowing the Mayor and City Council, by a majority vote, and after public meetings and hearings to establish a local expenditure limitation.
PEGGY NEELY	A "No" vote shall have the effect of the city operating under the state imposed expenditure limitation formula based on 1979-80 expenditures adjusted for inflation and population. This will result in an estimated \$870 million reduction in the fiscal year 2012-13 budgeted expenditures and reductions in or eliminations across all City services.
GREG STANTON	<u>Question</u> Shall the Alternative Expenditure Limitation set forth in Phoenix City Council Resolution No. 20963 be adopted as part of the local expenditure control program of the City of Phoenix?
JENNIFER WRIGHT	YES / SI NO / NO
Print name of Write-In Candidate HERE Escriba el nombre del Candidato Escrito AQUÍ	TÍTULO OFICIAL: Resolución Núm. 20963 UNA RESOLUCIÓN DEL CONCEJO MUNICIPAL DE PHOENIX QUE PROPONE LA CONTINUACIÓN DE UNA LIMITACIÓN ALTERNATIVA DE GASTOS LOCALMENTE CONTROLADA. ESTA LIMITACIÓN ALTERNATIVA DE GASTOS ESTABLECERÍA EL LÍMITE EQUIVALENTE AL PRESUPUESTO ADOPTADO POR EL CONCEJO MUNICIPAL.
COUNCIL MEMBER DISTRICT 1 Vote For Not More Than ONE MIEMBRO DEL CONCILIO DISTRITO 1 Vote Por No Más De UNO	<u>Título descriptivo</u> El Artículo IX, Sección 20 (9) de la Constitución de Arizona permite que los votantes extiendan la limitación alternativa de gastos localmente controlada para la Municipalidad de Phoenix, continuándola durante los siguientes cuatro años. Esta limitación alternativa de gastos ha sido ejercida desde el año fiscal 2000-01. Si se aprueba, mantendría la limitación de gastos de la Municipalidad de Phoenix como equivalente al monto del presupuesto adoptado por el Concejo Municipal. Anualmente, el Alcalde y el Concejo Municipal adoptarán un presupuesto después de audiencias públicas para cada distrito del Concejo. Si la limitación alternativa de gastos, la cual se encuentra actualmente vigente para la Municipalidad de Phoenix, no se extiende, se aplicará la limitación de gastos impuesta por el estado.
BILL BARKER	<u>Vigencia</u> Un voto de "Si" tendrá el efecto de continuar el control local permitiendo que el Alcalde y el Concejo Municipal, por un voto de mayoría, y después de reuniones y audiencias públicas, establezcan una limitación de gastos local.
ERIC FREDERICK	Un voto de "No" tendrá el efecto de que la municipalidad opere de acuerdo a la fórmula de limitación de gastos impuesta por el estado basada en los gastos de 1979-80 ajustados a la inflación y la población. Esto resultará en una reducción estimada de \$870 millones en los gastos presupuestados del año fiscal 2012-13 y reducciones o eliminaciones en todos los servicios de la Municipalidad.
THELDA WILLIAMS	<u>Pregunta</u> ¿Deberá la Limitación Alternativa de Gastos estipulada en la Resolución del Concejo Municipal de Phoenix Núm. 20963 ser adoptada como parte del programa local de control de gastos de la Municipalidad de Phoenix?
Print name of Write-In Candidate HERE Escriba el nombre del Candidato Escrito AQUÍ	

VOTE BOTH SIDES / VOTE EN LOS DOS LADOS


By district

OFFICIAL BALLOT

ALAMEDA COUNTY, CALIFORNIA
NOVEMBER 2, 2010 GENERAL ELECTION

RANKED-CHOICE VOTING BALLOT

INSTRUCTIONS TO VOTERS: USE BLACK OR BLUE BALLPOINT PEN ONLY. To vote for a candidate of your

choice, complete the arrow  to the right of the candidate's name. To vote for a qualified write-in candidate, PRINT the person's name in the blank space provided and complete the arrow. You may rank up to three choices. Vote across in each race.

1 Mark your first choice in Column 1.

2 Mark your second choice in Column 2. This choice must be different from your first choice.

3 Mark your third choice in Column 3. This choice must be different from your first and second choices.

NONPARTISAN	NONPARTISAN	NONPARTISAN
CITY OF SAN LEANDRO	CITY OF SAN LEANDRO	CITY OF SAN LEANDRO
FOR MAYOR	FOR MAYOR	FOR MAYOR
1 FIRST CHOICE <i>(Vote for One)</i> STEPHEN H. CASSIDY <small>Consumer Protection Attorney</small> JOYCE RUTLEDGE STAROSCIAK <small>San Leandro City Councilmember</small> ANTHONY B. "TONY" SANTOS <small>Mayor of San Leandro</small> JOHN R. PALAU <small>Construction Manager</small> SARA M. MESTAS <small>Businesswoman</small>	2 SECOND CHOICE <i>(This must be different from your first choice.)</i> <i>(Vote for One)</i> STEPHEN H. CASSIDY <small>Consumer Protection Attorney</small> JOYCE RUTLEDGE STAROSCIAK <small>San Leandro City Councilmember</small> ANTHONY B. "TONY" SANTOS <small>Mayor of San Leandro</small> JOHN R. PALAU <small>Construction Manager</small> SARA M. MESTAS <small>Businesswoman</small>	3 THIRD CHOICE <i>(This must be different from your first and second choices.)</i> <i>(Vote for One)</i> STEPHEN H. CASSIDY <small>Consumer Protection Attorney</small> JOYCE RUTLEDGE STAROSCIAK <small>San Leandro City Councilmember</small> ANTHONY B. "TONY" SANTOS <small>Mayor of San Leandro</small> JOHN R. PALAU <small>Construction Manager</small> SARA M. MESTAS <small>Businesswoman</small>
FOR MEMBER OF CITY COUNCIL, DISTRICT 1	FOR MEMBER OF CITY COUNCIL, DISTRICT 1	FOR MEMBER OF CITY COUNCIL, DISTRICT 1

Instant Run-off voting

Sample Ballot

1 FIRST CHOICE <i>(This must be different from your first choice.)</i> Vote for One MICHAEL J. GREGORY Incumbent DAVID L. ANDERSON, SR. Retired Sheetmetal Worker	2 SECOND CHOICE <i>(This must be different from your first choice.)</i> Vote for One MICHAEL J. GREGORY Incumbent DAVID L. ANDERSON, SR. Retired Sheetmetal Worker	3 THIRD CHOICE <i>(This must be different from your first and second choices.)</i> Vote for One MICHAEL J. GREGORY Incumbent DAVID L. ANDERSON, SR. Retired Sheetmetal Worker
FOR MEMBER OF CITY COUNCIL, DISTRICT 3	FOR MEMBER OF CITY COUNCIL, DISTRICT 3	FOR MEMBER OF CITY COUNCIL, DISTRICT 3
1 FIRST CHOICE <i>(This must be different from your first choice.)</i> Vote for One DIANA M. SOUZA Incumbent	2 SECOND CHOICE <i>(This must be different from your first choice.)</i> Vote for One DIANA M. SOUZA Incumbent	3 THIRD CHOICE <i>(This must be different from your first and second choices.)</i> Vote for One DIANA M. SOUZA Incumbent
FOR MEMBER OF CITY COUNCIL, DISTRICT 5	FOR MEMBER OF CITY COUNCIL, DISTRICT 5	FOR MEMBER OF CITY COUNCIL, DISTRICT 5
1 FIRST CHOICE <i>(This must be different from your first choice.)</i> Vote for One PAULINE RUSSO CUTTER Educator/Preschool Director CORINA N. LOPEZ San Leandro Business Owner	2 SECOND CHOICE <i>(This must be different from your first choice.)</i> Vote for One PAULINE RUSSO CUTTER Educator/Preschool Director CORINA N. LOPEZ San Leandro Business Owner	3 THIRD CHOICE <i>(This must be different from your first and second choices.)</i> Vote for One PAULINE RUSSO CUTTER Educator/Preschool Director CORINA N. LOPEZ San Leandro Business Owner

CA01-5-08109454800-20

C - Card 3

Instant Run-off voting



12000020110023

Sample Ballot

300000030153



OFFICIAL BALLOT *BOLETA OFICIAL*
May General Election
Elección General de Mayo
Randall County, Texas
Condado de Randall, Texas
May 09, 2009 - *09 de Mayo del 2009*

AI SD Only

Precinct *Precinto* 111R AISD

Instruction Text:
Please use a black or blue ink pen only. Completely fill in the box provided to the left of your choice. Make no stray marks on the ballot. Do not use inks that soak through the paper.

Nota de Instrucción:
Por favor use solamente una pluma de tinta negra o azul. Llene completamente el espacio cuadrado a la izquierda de su selección. No haga marcas extrañadas. No use tintas que se pueden penetrar el papel.

Amarillo ISD Board of Trustees One At-Large Position,
2 Year Unexpired Term
VOTE FOR NONE OR ONE
Amarillo ISD Junta de Regentes Un Posicione de los Abiertos, Término de Dos años No Expirado
VOTE FOR NONE OR ONE

☐ Anette J. Carlisle

Amarillo ISD Board of Trustees Four At-Large Positions are Open, Four Year Term
Vote for none, one, two, three or four candidate or candidates of your choice. You have a total of four votes which may be cast in any combination for the candidate or candidates of your choice. It is permitted to vote up to four times for one candidate. You are not required to cast all four votes, but cannot cast more than four.

Amarillo ISD Junta de Regentes Cuatro Posiciones de los Abiertas, Términos de Cuatro Años
Vota por ninguno, uno, dos, tres o cuatro candidato o candidatos de su elección. Usted tiene un total de cuatro votos que puede emitir, usando cualquier combinación, a favor del candidato o candidatos de su elección. Se permite votar hasta cuatro veces por un mismo candidato. No es necesario que emita los cuatro votos, pero no puede emitir más de cuatro.

- ☐ James Allen
- ☐ James Allen
- ☐ James Allen
- ☐ James Allen
- ☐ Linda Pitner
- ☐ Linda Pitner
- ☐ Linda Pitner
- ☐ Linda Pitner
- ☐ Jeff Poindexter
- ☐ Jeff Poindexter
- ☐ Jeff Poindexter
- ☐ Jeff Poindexter
- ☐ Mary Faulkner
- ☐ Mary Faulkner
- ☐ Mary Faulkner
- ☐ Mary Faulkner
- ☐ Jane Jones
- ☐ Jane Jones
- ☐ Jane Jones
- ☐ Jane Jones
- ☐ John Ben Blanchard
- ☐ John Ben Blanchard
- ☐ John Ben Blanchard
- ☐ John Ben Blanchard

Sample Ballot

1153020474



Cumulative voting

Vote Both Sides

Sam Ballot

Sample Ballot

OFFICIAL BALLOT

Consolidated Election

City of Peoria Board of Election Commissioners

April 05, 2011

Camille Gibson, Chairman
Peoria Board of Election Commissioners

Camille M. Gibson

Instruction Text:

Please use a black or blue ink pen only. Completely fill in the box provided to the left of your choice. Make no stray marks on the ballot. Do not use inks that soak through the paper. To vote for a write-in candidate, completely fill in the box provided to the left of the words "Write-in" and write in the name of the candidate on the line provided.

The maximum number of votes you may cast for City Councilman-at-Large is FIVE (5). If you vote for one (1) candidate the candidate receives five (5) votes. If you vote for two (2) candidates each candidate receives two and one half (2 1/2) votes. If you vote for three (3) candidates each candidate receives one and two thirds (1 2/3) votes. If you vote for four (4) candidates each candidate receives one and one fourth (1 1/4) votes. If you vote for five (5) candidates each candidate receives one (1) vote.

City Councilman-at-Large

Vote for One, Two, Three, Four, or Five

- ☐ Chuck Weaver
- ☐ Charles V. Grayeb
- ☐ Ryan M. Spain
- ☐ W. Eric Turner
- ☐ Jim Stowell
- ☐ George Azouri
- ☐ Beth Akeson
- ☐ André Williams
- ☐ Christopher (C.J.) Summers
- ☐ Gary Sandberg

Chillicothe Park District

For President

(Four Year Term)

Vote for One

- ☐ Mike Krost

Chillicothe

For Trustee

(Four Year Term)

Vote for Not More than Three

- ☐ Jacqueline J. Petty

- ☐ James T. Hancock

The Pleasure Driveway & Park District of Peoria, Illinois

For President

(4 Year Term)

Vote for Not More than Three

- ☐ Kelly Cummings

The Pleasure Driveway & Park District of Peoria, Illinois

For Trustee, Central District

(4 Year Term)

Vote for Not More than Three

- ☐ Jacqueline J. Petty

- ☐ James T. Hancock

- ☐ Kelly Cummings

Peoria Public Schools District #150

For Member, Board of Education, District 2

(Full 5-Year Term)

Vote For One

- ☐ Mike Mitchell

- ☐ Debbie L. Wolfmeyer

Peoria Public Schools District #150

For Member, Board of Education, District 3

(Full 5-Year Term)

Vote for One

No Candidate

- ☐ Write-in

Pleasant Valley SD #62

For Member, Board of Education

(Unexpired 2-Year Term)

Vote for One

No Candidate

*Cumulative voting - Ex.C
"even & equal" option*

Vote Both Sides

Cumulative voting

See separate instruction sheet enclosed.

Mark your choices with NUMBERS only.

Do not put the same figure opposite more than one name. If you spoil this ballot, return it for cancellation to the election officer in charge of the ballots and get another from him.

MICHAEL A. BALDASARO, 48 Porter Street	
MANUEL C. BARROS, 4 Marion Street	
WILLIAM BECZE, 24 Concord Avenue	
GLORIA M. BEEKS, 130 Harvard Street	
THOMAS W. BEER, 137 Mt. Auburn Street	
KATHLEEN L. BORN, 3 Walnut Avenue	
ED CYR, 106 Dudley Street	Quotations for 95-0-032000
FRANCIS H. DUEHAY, 26 Lowell Street	Quotations for 95-0-032000
GALIT DUKACH, 29 Chilton Street	
ANTHONY D. GALLUCCIO, 86 Buckingham Street	
WILLIAM C. JONES, 160 Norfolk Street	
PAUL T. KEARNS, 5 Gery Street	
VIVIAN KURKJIAN, 86 Buckingham Street	
RANDOLPH L. LOWET, 43 Linnaean Street	
JAMES F. McGRAIL, 20 Orchard Street	
JAMES J. McSWEENEY, 29 Harrison Avenue	
JONATHAN S. MYERS, 31 Chalk Street	Quotations for 95-0-032000
ELAINE NOBLE, 457 Mt. Auburn Street	
JOHN PITKIN, 18 Fayette Street	
RON POTVIN, 46 Lopez Street	
KENNETH E. REEVES, 11 Everett Street	Quotations for 95-0-032000
SHEILA T. RUSSELL, 5 Hawthorne Park	Quotations for 95-0-032000
GEORGE A. SPARTICHINO, 93 Normandy Avenue	
MICHAEL A. SULLIVAN, 28 Putnam Avenue	
TIMOTHY J. TOOMEY, JR., 88 Sixth Street	Quotations for 95-0-032000
KATHERINE TRIAKTAFILLOU, 90 Reed Street	
WILLIAM H. WALSH, 26 Huribut Street	Quotations for 95-0-032000
THOMAS P. WEED, 14 Foster Street	
ROBERT WINTERS, 366 Broadway	

Proportional Representation

CANDIDATE FOR CITY COUNCIL

Only one vote per candidate. Only one vote per column.

Prop.
Rep.

for Term of Two Years

Instructions to Voters

**MARK YOUR CHOICES
BY FILLING IN THE
NUMBERED OVALS ONLY**

Fill in the number one ① oval next to your first choice; fill in the number two ② oval next to your second choice; fill in the number three ③ oval next to your third choice, and so on. You may fill in as many choices as you please.

Fill in no more than one oval per candidate.

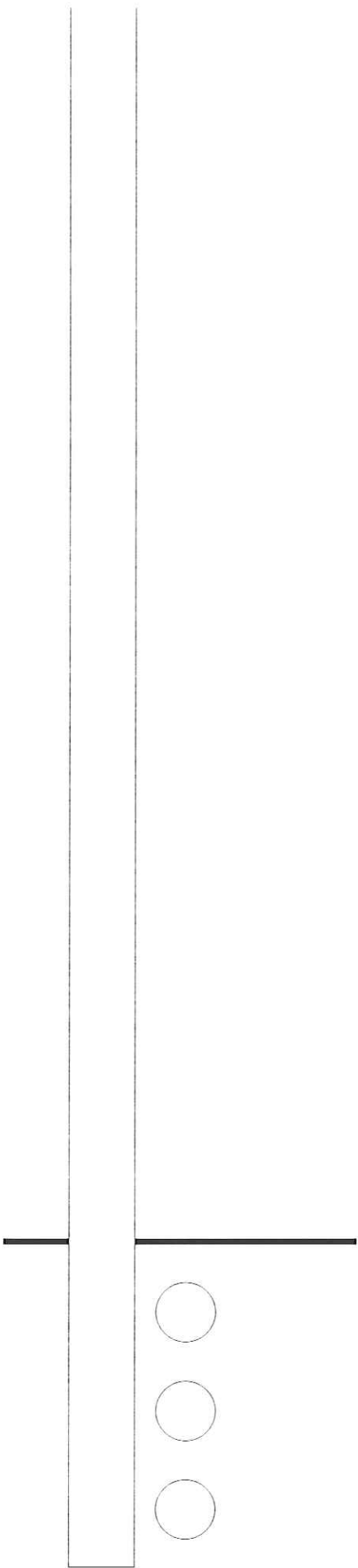
Fill in no more than one oval per column.

To vote for a write-in candidate, fill in the numbered oval next to the name you have written, showing your choice as a number a candidate.

If you spoil this ballot, return it for cancellation to the election officer in charge of the ballots and get another from such officer.

CANDIDATE FOR RE-ELECTION		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
KATHLEEN LEAHY BORN, 3 Walnut Avenue	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
WILLIAM B. CUNNINGHAM, 72 Kirkland Street	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
HENRIETTA DAVIS, 120 Chestnut Street	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
FRANCIS H. DUEHAY, 26 Lowell Street	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
ROGER DOYLE FRYMIRE, 22 Fairmont Avenue	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
ANTHONY D. GALLUCCIO, 86 Buckingham Street	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
DONALD HARDING, 187 Windsor Street	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
WILLIAM C. JONES, 55 Essex Street	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
IAN M. MACKINNON, 11 Suffolk Street	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
BIJU K. MATHEW, 67A Columbia Street	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
KENNETH E. REEVES, 340 Harvard Street	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
SHEILA T. RUSSELL, 5 Hawthorne Park	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
MICHAEL A. SULLIVAN, 28 Park Avenue	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
TIMOTHY J. TOOMEY, JR., 88 Sixth Street	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
KATHERINE TRANTAFILLOU, 90 Park Street	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
DAVID TRUMBULL, 20 Lee Street	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
WILLIAM PALU VIENNEAU, 18 Lambert Street	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
DOUGLAS WHITLOW, 4 Jefferson Avenue	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
ROBERT WINTERS, 366 Broadway	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
WRITE-IN	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
WRITE-IN	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
WRITE-IN	CANDIDATE FOR RE-ELECTION	1	2	3	4	5	6	7	8	9	10	11</								

DO NOT USE RED TO MARK BALLOT



City of Santa Clara Charter Review
Committee
September 1, 2011

What is the Voting Rights Act?



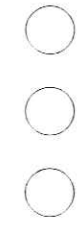
Voting Rights Acts

- o Federal Voting Rights Act of 1965
(42 USC § 1973 et seq.)
- o California Voting Rights Act of 2001
(Cal. Elections Code § 14025 et seq.)



Federal Voting Rights Act of 1965 (FVRA)

- Federal law administered by the Department of Justice
- Prohibits discrimination in voting on the basis of race, color, or certain language minority status



FVRA cont'd

- o Section 2: prohibits the denial or abridgement of voting rights on the basis of race or *language minority status*
- o “*Language minority status*”: Asian, Native American, Alaska Native or Spanish heritage
- o Does not apply to other language groups



FVRA: Vote dilution

- o A violation of the Act can occur if a protected class of voters has “less opportunity than other members of the electorate...to elect representatives of their choice” (42 USC § 1973(b))



FVRA: Vote dilution

- Electoral systems can limit the ability to elect by making it difficult or impossible for a protected class of voters to elect a candidate of their choice



How do you know if votes are diluted?

- Developed by case law; *Gingles* test:
 - Minority population large and compact enough to be a majority in a single-member district, and
 - Minority group politically cohesive (votes the same), and
 - White majority votes as a bloc and usually defeats the minority choice.



California Voting Rights Act of 2001 (CVRA)

- o Elections Code § 14025 – 14032
- o Uses 2 of the 3 *Gingles* factors:
 - Minority group politically cohesive (votes the same), and
 - Majority votes as a bloc and usually defeats the minority choice.
- o Legislature wanted a broader law than FVRA

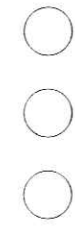
CVRA (cont'd)

- o “An at-large method of election may not be imposed or applied in a manner that impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgement of the rights of voters who are members of a protected class...”



“Protected class”:

- o Class of voters “who are members of a race, color or language minority group, as that class is referenced and defined” by the FVRA.



“Racially polarized voting”:

- Voting in which there is a difference, as defined by case law, “in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choices that are preferred by voters in the rest of the electorate.”

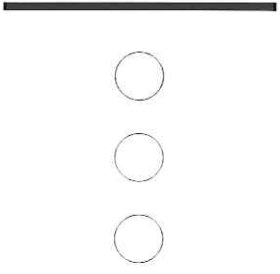
How do you know if votes are diluted?

- Is there racially polarized voting?
- What were the results of election with minority candidate or issue? Did minority candidate or issue prevail?
- What is the history of discrimination, electoral devices that could have enhanced polarized voting, financial support for candidates, racial overtones or appeals in elections?



How do courts determine a CVRA violation?

- Is there racially polarized voting?
 - Look to elections prior to lawsuit filing
 - Based on election results, how did racial minorities vote?
 - Which candidates did they choose?
 - Was there a minority candidate to vote for?
 - What issues did they vote for?
 - What % of these minority groups are registered voters?



Questions?

PUBLIC SERVICE AND COMMUNITY ENGAGEMENT

Presentation to
THE CHARTER REVIEW COMMITTEE
BY
CITY CLERK AND ASSISTANT CITY MANAGER

CITY OF SANTA CLARA
SEPTEMBER 1, 2011



City Board and Commissions

10 Boards and Commissions

- *Board of Library Trustees*
- *Civil Service Commission*
- *Cultural Advisory Commission*
- *Historical & Landmarks Commission*
- *International Exchange Commission*
- *Parks & Recreation Commission*
- *Planning Commission*
- *Senior Advisory Commission*
- *Youth Commission*
- *Housing Rehabilitation Loan Committee*

Offers 70 opportunities for community members to engage
in the process of government

Leadership Santa Clara

- Annual Program established in 1998
- 20 to 25 people each class; sessions over 6 months
- Sessions include topics on government, community involvement/volunteerism
- Fosters an informed and involved community
- Graduates have become Commissioners, Committee Members, other community involvement

Ethics and Voter Engagement Programs

- Local, State, and International award-winning programs
- *Code of Ethics & Values*
- Vote Ethics Program
- Voter Registration and Public Outreach

Campaign Finance Reform

- Santa Clara Political Campaign Finance Reform Act
- Voluntary Expenditure Limit
- Contribution Limits
- Fundraising Blackout Period



CITY OF SANTA CLARA

CITY CLERK'S OFFICE



TO: Charter Review Committee
FROM: City Clerk and Auditor
DATE: 8/18/11
RE: History of City Charter and Election Provisions

At their August 16, 2011 meeting, the City Council appointed a Charter Review Committee to consider the manner in which City Council Members are elected in the City of Santa Clara. As background for the Committee, this report outlines information regarding the history of the current Charter provisions which govern the election of City Council Members.

- **1972 Proposition G:** In 1971 the City Council appointed a Charter Revision Advisory Committee to review the City Charter and suggest potential reforms and changes. In 1972 the voters of Santa Clara approved Proposition G, by a 17,650 (65.66%) "Yes" and 9,229 (34.34%) "No" vote, changing the election of City Council Members from an at-large process to an at-large by-seat process.

While there were no pro or con arguments to Proposition G, the "San Jose Mercury News" (SJMN), on July 24, 1972 and again on August 29, 1972, provided some insight into the reasons for proposing the at-large by-seat system:

SJMN, 7/24/72: "Numbering of the council seats would mean that a candidate could challenge any incumbent directly by filing for his seat."

SJMN, 8/29/72: "Another change numbers council seats, while not changing the at-large election method. It makes possible a candidate zeroing in on one of the incumbents by filing specifically for his seat."

- **Section 700.1 Elections – Designation of Seats:** Section 700.1 of the City Charter outlines the manner in which seats are designated for the purpose of electing City Council Members.

Section 700.1 Elections – Designation of Seats reads: "For purposes of City Council elections, each Council office shall be designated by an appropriate descriptive designation, as follows: The Council seat which on the effective date of this section is occupied by the Mayor shall continue to be designated as "Mayor"; each of the other six seats, respectively shall be designated as "Council Member Seat No. 2," "Council Member Seat No. 3," "Council Member Seat No. 4," "Council Member Seat No. 5," "Council Member Seat No. 6" and "Council Member Seat No. 7" respectively, and shall continue to be designated by the respective designation. The designation so given to each such office shall thereafter be used in all election, nomination papers, certificates of election and other election papers pertaining or referring to such office and to designate

incumbency in such office.”

- **Ordinance 1851:** On December 15, 2009 the City Council approved Ordinance 1851, which precluded candidates from pulling nomination papers in more than one seat at a time. While candidates are allowed to surrender nomination papers for one seat and re-file for another, they are not allowed to pull papers for multiple seats simultaneously. This was an effort to provide greater clarity to the public and potential candidates regarding the filing and nomination process.

Please note that this is a brief review of a portion of the history and current regulations regarding the election of City Council Members in Santa Clara. Please let me know if you would like additional research or information during the course of your work as a Charter Review Committee.



--RJD2

Rod Diridon, Jr., CMC/MMC
City Clerk and Auditor
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050
(408) 615-2220
rdiridon@santaclaraca.gov

Documents Included:

- 1). 1972 Proposition G Sample Ballot Language
- 2). San Jose Mercury News "Charter Proposals Up to Councilmen, 7/24/72
- 3). San Jose Mercury News "Charter Proposals Up to Councilmen, 8/29/72

CHARTER AMENDMENT — PROPOSITION G

PROPOSITION G: A proposition on the motion of the City Council of said City to amend Article VI of the Charter by adding the following sections thereto to be numbered, entitled and read, as follows:

Section 700.1. Offices Separately Filled. The office of each member of the City Council, including the office of the Council member who is Mayor, is and shall be deemed to be a separate office to be separately filled. No person shall be a candidate for more than one such office; and, except as otherwise provided elsewhere in this Charter, no incumbent member of the City Council while serving in such office with an unexpired term of more than six months shall be a candidate for any numbered Council seat other than the one which he holds.

Nothing in this Section or in Section 700.2. of this Charter shall change the effect in any way of any disqualification of a member of the Council, including the Mayor, to serve more than two consecutive elective terms. It is intended that these sections will not affect any such qualification at all, either retrospectively or prospectively.

Section 700.2. Elections: Designation of Seats. Subject to other provisions of this Charter, the first election following the effective date of this Section at which a Mayor and members of the City Council shall be elected shall be the general municipal election held in the year 1973. At the general municipal election held in the year 1973, persons shall be elected to fill the seats of those three members of the Council, including the Mayor, whose terms expire at the end of the day immediately preceding the first Monday of May, 1973. At the general municipal election held in the year 1975, persons shall be elected to fill the seats of those four members of the Council whose terms expire at the end of the day immediately preceding the first Monday of May, 1975. Thereafter, at each general municipal election, successors shall be elected to fill the seats of those members of the Council, including the member of the Council who is also the Mayor, whose terms of office are about to expire.

For purposes of said elections, each Council office shall be designated by an appropriate descriptive designation, as follows: The Council seat which on the effective date of this Section is occupied by the Mayor shall continue to be designated as "Mayor"; each of the other six seats, respectively, shall be designated by the Council within one week of the effective date of this Section, if not previously so designated, as "Councilman, Seat No. 2", "Councilman, Seat No. 3", "Councilman, Seat No. 4", "Councilman, Seat No. 5", "Councilman, Seat No. 6", and "Councilman, Seat No. 7", respectively, and shall continue to be designated by the respective designation. The designation so given to each such office shall thereafter be used in all elections, nomination papers, certificates of election and other election papers pertaining or referring to such office, and to designate incumbency in such office.

The effective date of this Section shall be deemed to mean the date this Section as it now reads becomes effective.

**No Arguments Were Received Either For or Against
Proposition G**

Charter Proposals Up to Councilmen

By ROGER WISE
Staff Writer

SANTA CLARA — After eight months, the Charter Revision Committee here is on its last legs.

The committee, formed in November of last year to dig into the city's 21-year-old charter and find out what needs changing, made eight recommendations for change.

The proposed revisions must be approved by the City Council before they can appear on the November general election ballot.

The council met with the 15-member committee last week to hear the recommendations.

The council said it will discuss initiating any new proposals for charter change not considered by the committee at its meeting Tuesday. But it appears unlikely there will be any new proposals, since each councilman talked to the committee early after its formation to express their views.

Many of the suggestions of council and city staff members were rejected by the committee.

The recommendations by the committee include one to drop the two-term limitation on councilmen, to number each council seat but still have councilmen run at-large, and to have a runoff election if a councilman doesn't corner a majority of the vote.

If voters elect to drop the two-term limit, some councilmen who would have to forsake their seats next April can run again.

Numbering of the council seats would mean that a candidate could challenge any incumbent directly by filing for his seat.

Under the committee's recommendation, any candidate who didn't get a majority of the votes cast would have to go through a runoff election with the runnerup.

posts at present) and for a council pay raise.

Councilmen now make \$200 per month and the mayor gets \$1,000 per month.

If the council doesn't come up with any new recommendations for charter changes at next Tuesday's session, the committee will be defunct.

All charter change proposals must gain council approval before mid-August to make the November ballot.

★ ★ ★

Trustees May Name Counselor

SANTA CLARA — The Unified School District board is scheduled to appoint an acting head counselor registrar for Wilcox High School at its regular meeting Thursday night.

The meeting will start at 8 p.m. in the Santa Clara City Council Chambers.

The acting position was created when Charles Pasantino was named acting principal at Peterson High School for the 1972-73 school year.

In other items, trustees will look at proposed new courses, review its \$23.8 million publication budget, and discuss cafeteria lunch prices and a proposed rain shelter at George Wayne School.

★ ★ ★

ECR Rerouting Hearing Slated

SANTA CLARA — A public hearing on rerouting the El Camino Real east of the University of Santa Clara campus will be held at the 8 p.m. City Council session Tuesday.

Santa Clara Mercury • Monday, July 24, 1972

Currently, it takes a plurality to win a seat. That means, for instance, if there were 10 candidates for mayor, a man could conceivably win the post with only 11 per cent of the vote.

Most of the other charter changes recommended by the committee are minor "housekeeping" versions to make sure the charter is in step with the 1970s.

One other change would require that the budget have five votes for approval.

Current charter requirements are for four votes for approval of the annual budget and five for any changes during the year.

Among proposals the committee turned down were those for an appointed police chief and city clerk (both are elective

The proposed reroute has been under study for more than a dozen years. It has the recommendation of the City Planning Commission.

Charter Changes On Ballot

SANTA CLARA — The council has approved and forwarded to the county for inclusion on the November general election ballot a number of proposed charter changes including one which eliminates the two-term council limit.

Another change numbers council seats, while not changing the at-large election method. It makes possible a candidate zeroing in on one of the incumbents by filing specifically for his seat.


The council took action on the measures after making minor changes.

Other proposed charter amendments include:

- One raising the salaries of councilmen from \$200 to \$300 per month.


- Another making possible the sale of city property up to \$2,500 in value without publishing a notice of intent to sell. The present limit is \$500.


- A change eliminating the need for formal bidding for public works contracts up to \$3,500. At present, bidding is required for contracts estimated at more than \$1,000.




Santa Clara City Council Elections

City of Santa Clara Charter Review Committee
August 18, 2011





Part 1: Current Council Elections



City Charter, Section 600

- o Candidate = resident, registered voter
- o 7 members (Mayor, 6 council members)
- o "at large" or by all city voters
- o "person receiving the most votes cast for a particular City office shall be declared duly elected"



City Charter, Section 700.1

- o Each of the 6 seats is designated by a number; one as "Mayor"
- o Seats do not refer to geographical areas
- o All voters vote for each numbered seat



Santa Clara's System

- o "at large by seat"
- o Each voter gets one vote per numbered seat
- o Candidate for the numbered seat with the most votes is elected
- o Variation of "at large" system



Part 2: Different Voting Systems



Voting Systems

- o At large
- o By district
- o From district
- o Cumulative voting
- o Proportional representation



At large voting:

- o Every voter gets one candidate vote; top vote getters are elected
 - (Government Code § 34871)



By/from district:

- o **By district:** voters in a geographical area vote for particular candidate
 - (Government Code §§ 34882, 34871)
- o **From district:** voters from entire city vote for particular candidate that resides in a particular geographical area
 - (Government Code § 34871)



Cumulative voting:

- o Each voter gets as many votes as there are open seats
- o Voter can cast all of those votes for 1 candidate or spread them around to more than 1
- o Winners are the highest vote getters (plurality)



Cumulative voting:

- o **Cumulative voting variation:** "even and equal"
 - Votes are allocated equally among the candidates chosen by a voter
 - Example: if a voter has 5 votes and votes for 2 candidates, each candidate receives 2.5 votes
 - Winners are the highest vote-getters (plurality).



Proportional representation:

- o "choice voting"
- o Voters rank candidates in order of preference: 1 for their favorite, 2 for their second favorite, and so on
- o Candidates win when they reach the "victory threshold"



Proportional representation:

o Victory threshold =

$$\frac{[\text{valid votes cast}]}{[\# \text{ of seats} + 1]} + 1$$



Questions?

Election Information Cities and Towns in Santa Clara County		
City	How is Council Elected?	Mayor Elected Separately?
Campbell	At large	No; appointed by Council Members every year
Cupertino	At large	No; appointed by Council Members every year
Gilroy*	At large	Yes
Los Altos		
Los Altos Hills	At large	No; appointed by Council Members every year
Los Gatos	At large	No; appointed by Council Members every year
Milpitas	At large	Yes, 2 year term
Monte Sereno	At large	No; appointed by Council Members every year
Mountain View*	At large	No; appointed by Council Members every year
Morgan Hill	At large	Yes
Palo Alto*	At large	No; appointed by Council Members every year
San Jose*	By District	Yes; at large
Santa Clara*	At large (by seat numbers)	Yes; at large by separate seat
Saratoga	At large	No; appointed by Council Members every year
Sunnyvale*	At large (by seat numbers)	No; appointed by Council Members every two years (Nov. 2011 ballot measure for directly elected Mayor)

I:\COUNCIL\Charter Review Committee\Election Info re Surrounding Cities 08-18-11.doc

*Charter cities.

Meeting Date: 8/16/11

AGENDA REPORT

City of Santa Clara, California

Agenda Item # 70.4



Date: August 11, 2011
To: Mayor and City Council, City Manager for Information
From: City Clerk/Auditor
Subject: UPDATED Estimated Costs of Elections in 2012

On July 5, 2011 the Council was provided with a report outlining potential dates and estimated costs for an election in 2012 to consider changes to the City Charter. As outlined at that meeting, AB 80 was being considered which would consolidate the Presidential and State Primary elections in 2012. On July 29, 2012, AB 80 was signed into law, consolidating both elections into the June 2012 State Primary.

Please find the below updated information regarding the estimated costs for holding an election for the voters to consider a measure or measures in 2012.

- 1) **Stand-Alone Special Election 2012:** A stand-alone special election in the City of Santa Clara is estimated to cost \$608,100 for the initial measure. Any additional measures are estimated to cost \$42,300 per measure.
- 2) **June 2012 State Primary Election:** An election in the City of Santa Clara consolidated with the June 2012 State Primary is estimated to cost \$155,500 for the initial measure. Any additional measures are estimated to cost \$88,000 per measure.
- 3) **November 2012 General Election:** Measures considered as additions to the standing municipal General Election to be held in November of 2012 are estimated to cost \$81,700. As there is an existing election planned, all additional measures are similarly estimated to cost \$81,700 per measure.

Please note that the above information is subject to modification based on price changes, the final Registrar of Voters election calendar and other factors. Please let the Clerk's Office know if you would like additional information regarding potential options to place a measure or measures on the ballot in the City of Santa Clara.

A handwritten signature in black ink, appearing to read "Rod Diridon, Jr.", written over a horizontal line.

Rod Diridon, Jr.
City Clerk/Auditor

Documents Related to this Report: None

1 Meeting Date: 7/12/11

AGENDA REPORT

City of Santa Clara, California

Agenda Item # 6B-1



Date: June 29, 2011
To: Mayor and City Council, City Manager
From: City Clerk/Auditor
Subject: Estimated Costs of Elections in 2012

Per the request of the City Council, please find the below information regarding the estimated costs for holding an election for the voters to consider a measure or measures in 2012. As a frame of reference, the City of Santa Clara currently has 44,728 registered voters.

- 1) **Stand-Alone Special Election 2012:** A stand-alone special election in the City of Santa Clara is estimated to cost \$608,100 for the initial measure. Any additional measures are estimated to cost \$42,300 per measure.
- 2) **February or June 2012 State Primary Election:** An election in the City of Santa Clara consolidated with the February or June 2012 State Primary is estimated to cost \$155,500 for the initial measure. Any additional measures are estimated to cost \$88,000 per measure.
- 3) **November 2012 General Election:** Measures considered as additions to the standing municipal General Election to be held in November of 2012 are estimated to cost \$81,700. As there is an existing election planned, all additional measures are similarly estimated to cost \$81,700 per measure.

Please note that the above information is subject to modification based on price changes, the final Registrar of Voters election calendar and other factors. Please let the Clerk's Office know if you would like additional information regarding potential options to place a measure or measures on the ballot in the City of Santa Clara.

A handwritten signature in black ink, appearing to read "Rod Diridon, Jr.", written over a horizontal line.

Rod Diridon, Jr.
City Clerk/Auditor

Documents Related to this Report: None